

**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 January 2016

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**Reference No:** 2015/0619/TP

**Ward:** 3

**Applicant:**

Glasgow Hutchesons Aloysians RFC  
Mr. Brian Williams  
Clubhouse  
Braidholm Road  
Giffnock  
G46 6EB

**Agent:**

PSD (Professional Sportsturf Design) Ltd  
6 Crosshill Drive  
Rutherglen  
G73 3QU

**PAGE 7**

**Site:** Glasgow Hutchesons Aloysians Rugby Club, 84 Braidholm Road, Giffnock, East Renfrewshire, G46 6EB

**Description:** Installation of artificial grass multi-use pitch (1x rugby pitch or 3 x 7-a-side football pitches) with erection of eight 15 metre high floodlights and 1.1 metre high fencing

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**Reference No:** 2015/0660/TP

**Ward:** 6

**Applicant:**

East Renfrewshire Council  
Director of Education  
Council Headquarters  
Eastwood Park  
Rouken Glen Road  
Giffnock  
G46 6UG

**Agent:**

Raymond O'Kane  
East Renfrewshire Council  
2 Spiersbridge Way  
Spiersbridge Business Park  
Thornliebank  
G46 8NG

**PAGE 15**

**Site:** Recreation Ground south of Bonnyton House and north of Newford Grove, Clarkston, East Renfrewshire

**Description:** Erection of nursery/family centre building with enclosed playground at rear and formation of associated parking and vehicular access off Newford Grove

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**Reference No:** 2015/0694/TP

**Ward:** 3

**Applicant:**

Woodfarm Education Trust  
Woodfarm Hall  
1 Burns Grove  
Giffnock  
East Renfrewshire  
G46 7HF

**Agent:**

Ingram Architecture & Design  
Ingram House  
227 Ingram Street  
Glasgow  
G1 1DA

**PAGE 31**

**Site:** Woodfarm Hall, 1 Burns Grove, Giffnock, East Renfrewshire, G46 7HF

**Description:** Erection of two storey extension with formation of car parking and associated ground works and re-location of play area

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# REPORT OF HANDLING

Reference: 2015/0619/TP

Date Registered: 8th December 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

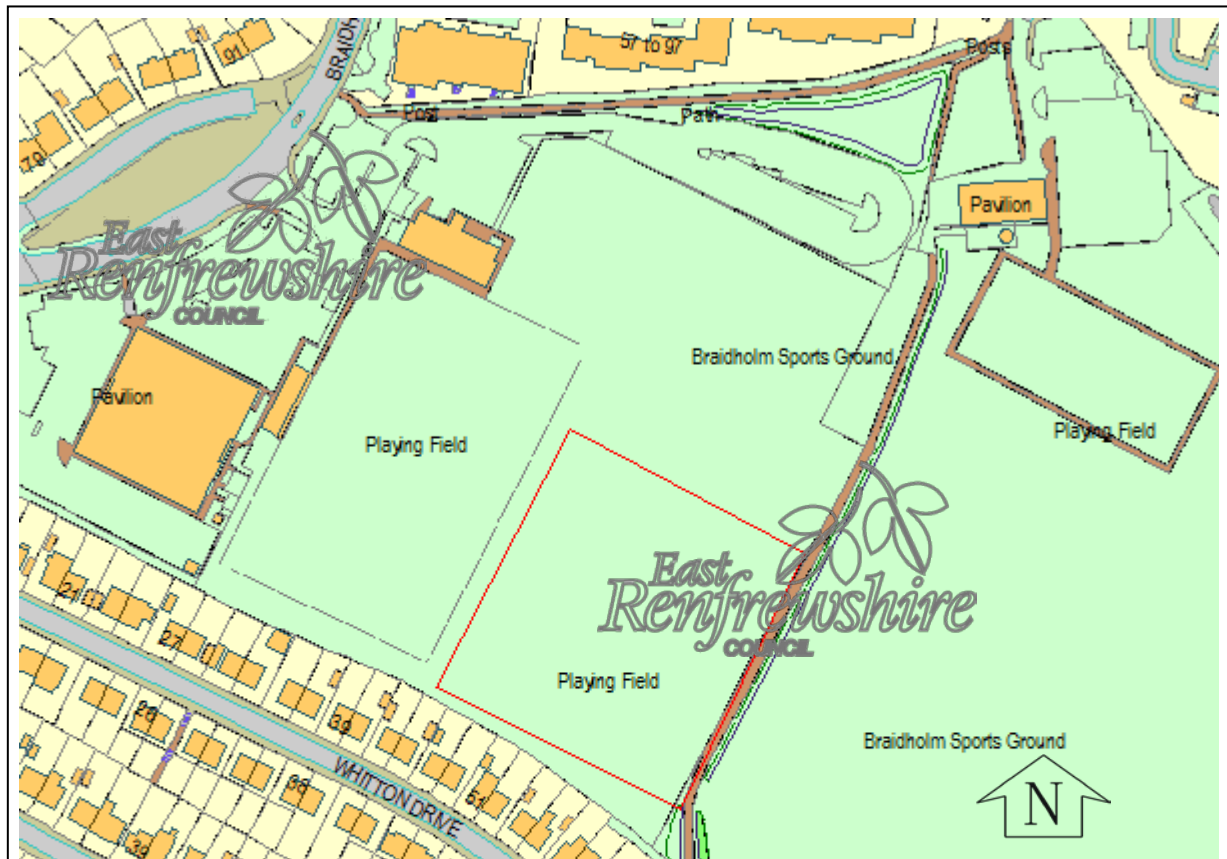
Co-ordinates: 257159/:659620

Applicant/Agent: Applicant:  
Glasgow Hutchesons Aloysians  
RFC  
Mr. Brian Williams  
Clubhouse  
Braidholm Road  
Giffnock  
East Renfrewshire  
G46 6EB

Agent:  
PSD (Professional Sportsturf Design)  
Ltd  
6 Crosshill Drive  
Rutherglen  
G73 3QU

Proposal: Installation of artificial grass multi-use pitch (1x rugby pitch or 3 x 7-a-side football pitches) with erection of eight 15 metre high floodlights and 1.1 metre high fencing

Location: Glasgow Hutchesons Aloysians Rugby Club  
84 Braidholm Road  
Giffnock  
East Renfrewshire  
G46 6EB



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**CONSULTATIONS/COMMENTS:**

East Renfrewshire Council Property and Technical Services	No objection.
East Renfrewshire Council Roads And Transportation Service	No objection.
East Renfrewshire Council Environmental Health Service	No objection and recommends mitigation measures to include: a management plan detailing how the club will respond to members who engage in anti-social behaviour; consideration be given to the erection of an acoustic fence; and that lux levels from the proposed floodlights be designed to comply with the E3 post curfew level. Also advises that it has no concerns about the development in respect of the ground quality.

**PUBLICITY:**

23.10.2015	Glasgow and Southside Extra	Expiry date 06.11.2015
02.10.2015	Glasgow and Southside Extra	Expiry date 16.10.2015

**SITE NOTICES:** None.**SITE HISTORY:**

2001/0008/TP	Demolition of existing rugby clubhouse, erection of new rugby clubhouse and health and fitness club, formation of new access, parking and associated landscaping	Approved subject to conditions	24.04.2001
2011/0379/TP	Formation of 7no 5-a-side and 1no 7-a-side flood light all weather football pitches (at pitch 3)	Withdrawn	07.09.2011
2014/0016/TP	Formation of temporary campsite between 19 July 2014 and 9 August 2014	Refused Subsequent appeal upheld by Scottish Government	07.03.2014 12.05.2014
2014/0803/TP	Erection of six 15 metre high floodlights (at pitch 2)	Approved subject to conditions	13.02.2015
2015/0348/TP	Erection of storage shed (adjacent to club house)	Granted	31.08.2015

## **REPRESENTATIONS:**

A total of 287 representations that have been received of which 221 object and 66 are in support. The representations can be summarised as follows:

The objections can be generally summarised as follows:

Noise

Light pollution

Visual impact

Road safety issues

Insufficient car-parking

Loss of green space

Proposal would expose ground contamination

Pollution from additional vehicle movements

The proposal will adversely affect a local bat population and other wildlife

The proposal is a multi-use games area that is unacceptable in a residential area

Increase in litter in nearby streets as a result of increased patronage

Proposal contrary to Local Development Plan and to government guidance

Pitch liable to water-logging due to perceived limitations of the materials used

This may set a precedent for further incremental development on the site

There are sufficient such pitches in the area and this would reduce revenue for Council owned facilities

The club has not cut their boundary hedges after promising to do so

Letters of support from people out with Giffnock/Newlands should not be considered

Insurance, licensing and legal issues surrounding the proposal

Residents were not advised of the proposal in advance by the club

Five-a-side pitches at Muirend are built further from residential properties and to approve this application would be inconsistent

Reduction in property values

Similar application on pitch 3 refused

The use of a MUGA at Kirkhill Primary School was limited to prevent nuisance to adjacent residents and to approve this application would be inconsistent

If approved the Council will be sanctioning a bad neighbour development

Loss of/restriction on views

Is this application supported by a private school in Glasgow and a soccer facility?

Disagree with consultation responses

The support can be summarised as follows:

Will be of general benefit to the long term future of the club

Will improve the facilities of the club to the benefit of its members

**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, the application has to be presented to the Planning Applications Committee for determination.

The application site comprises a playing field measuring 115 metres by 75 metres and is laid out and used as a rugby training pitch. This is referred to as pitch 2 in the planning application. It forms part of a larger area leased from the Council and used as a rugby ground by the Glasgow Hutchesons' Aloysians RFC. The wider rugby ground comprises three pitches with goal posts, a club house and grandstand adjacent to pitch 1, nine floodlighting columns supporting either 2 or 3 luminaires on each column (used to illuminate pitches 1 and 3) and car parking also illuminated by floodlighting. The rugby ground is bounded by residential properties on Whitton Drive to the south and Braidholm Road and Hazelden Gardens to the north.

Planning permission is sought for the installation of an artificial grass multi-use pitch with eight 15 metre high floodlighting columns and a 1.1 metre high barrier to be erected around all sides of the proposed pitch. Each of the eight lighting columns will support 2 low glare luminaires. When the application was originally submitted the applicant proposed that the artificial pitch would be surrounded by a 5 metre high metal mesh fence with 3 metre high netting on top. Following a number of objections relating to visual amenity and the noise of balls hitting the fencing, the applicant has removed this aspect of the proposed development and replaced it with the 1.1 metre high barrier. The applicant has indicated the purpose of the barrier is to limit players entering and leaving the pitch during games, thus preventing organic material being carried onto the artificial surface which would be to its detriment.

The applicant has advised that the principal use of the artificial pitch will be as a rugby training pitch. It can nevertheless be used as 3 x 7-a-side football pitches and the applicant has also advised that the pitch will be used for shinty and fitness training, although the type of sport played is not a material planning consideration.

The applicant has also advised that the current use of the grass pitch is constrained by the weather as it is often water-logged. The applicant considers that the proposed development will allow more flexible use of the pitch and will allow training to take place where it would otherwise be prevented by the weather and hours of darkness.

The development requires to be assessed against Policies D5 and D1 of the adopted East Renfrewshire Local Development Plan.

The site is identified in the adopted East Renfrewshire Local Development Plan as important urban greenspace and Policy D5 indicates that urban greenspace will be safeguarded and the loss of such areas will be resisted unless it can be demonstrated that: there is no significant impact on landscape character and amenity of the site and surrounding area; there will be no loss of public access; there will be no or limited impact on nature conservation; the proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace. Policy D5 also contains additional criteria for the assessment of proposals that affect outdoor sports facilities.

The proposed development is primarily for a change in surface of an existing pitch at the rugby club and is directly related to the existing sports facility at this location. As a consequence the proposal is considered to accord with Policy D5.

With regard to Policy D1 the determining issues in this case are 1) impact on character and amenity; 2) parking and access requirements; and 3) impact of light from the floodlighting.

In terms of impact on character and amenity, it is noted that the development is proposed to take place on a long established sports ground. It is therefore considered that the proposal will have limited impact on the character and visual amenity of the area, especially as no change of use is proposed. It is nevertheless accepted that the use of the current pitch is constrained by being grass and by the fact that it is often water-logged. It is therefore considered that the proposed artificial pitch could be used more intensively over longer time periods as the constraints limiting the use of the grass pitch would not apply.

The applicant has submitted details of the existing hours of use and the proposed hours of use. The existing usage totals 24.5 hours per week over the three pitches. The usage of the proposed artificial pitch would be 57 hours per week. It is acknowledged that the pitch would be used more intensively and how this potentially could impact on the amenity of nearby residential properties. It is considered that the main element that could potentially affect residential amenity would be noise from players, mainly raised voices, whistles and the noise of balls being kicked. The removal of the proposed 5m high fencing will remove the potential noise source of balls hitting fences.

It should be borne in mind that the pitches at present can operate without limit of time although this is naturally constrained by weather, required recovery time for the grass and hours of darkness. A recent planning permission for floodlighting on pitch 2 was granted subject to the condition that it could not be used beyond 22:00. However, that was on the basis of the current

use of the grass pitch, without the proposed intensification. The applicant has advised in writing that they are willing to limit the use of the two other pitches to 20:30 and requested that they be permitted to use the proposed artificial pitch until 22:00. The applicant's suggestion is welcomed, however, given that the use of the existing pitches is already constrained by the factors referred to above, it is not considered that this suggestion would go far enough to significantly limit the impact on the residential amenity of the adjacent dwellings, especially those on Whitton Drive as they lie closest to the proposed artificial pitch.

It is therefore considered on balance that the use of the proposed pitches should be limited to 21:00 Monday to Friday and 18:00 Saturday and Sunday.

The comments made by the Council's Environmental Health Service relating to means to address anti-social behaviour and the acoustic fence are noted. It is not however, the purpose of the planning system to control anti-social behaviour. Given that the site relates to an existing playing field and that the hours of use can be controlled by condition, it is not considered that the suggested acoustic fence would be necessary.

A number of the objectors have requested that a noise impact assessment should be carried out by the applicant. However the Council's Environmental Health Service has advised that this would not be necessary and in any event would be difficult to carry out given the variables associated with the site and the main noise source which is human voices. Reference is made in several representations to noise from cars/car doors. The site is located within the urban area where there will inevitably be noise from cars however this is not considered to be so severe as would justify refusing the application.

In terms of the floodlighting, the proposed lighting columns would not be considered to detract from the character or visual amenity of the area particularly given the prevalence of other upright structures of similar heights including the existing floodlighting columns and goal posts. In terms of the operation of the luminaires the Council's Environmental Health Service has advised that the proposed floodlights be designed to comply with the E3 post curfew level. A light spill diagram has shown that there will be no light spill over adjacent properties exceeding 5 lux. Furthermore it is considered appropriate to limit the use of the pitch to 21:00 Monday to Friday and 18:00 at weekends. This is considered to comply with the requirements of the Environmental Health Service.

In terms of access and parking, the Council's Roads Service has not objected to the proposal.

Given the above, it is considered that the proposal complies with the adopted East Renfrewshire Local Development Plan and should be approved unless material considerations indicate otherwise. In this case, the material considerations are the 283 representations that have been received in respect of the proposal.

In terms of the grounds of objection not specifically addressed above the following comments are made.

The Council's Environmental Health Service has not objected to the proposal on the basis of potential exposure to ground contamination. The site is currently in use as playing fields and is not covered by any natural heritage designation. It is not therefore considered that the proposed development would have a material impact on wildlife. In terms of the possibility of bats being disturbed, SNH has advised that, if bats do frequent the site, it would be unlikely they would be disturbed as the adjacent trees are not affected by the proposals and they are sufficient distance from the development area. The proposal is not for a multi-use games area (MUGA) and the reasons for restricting the use of the MUGA at Kirkhill Primary do not therefore apply to this application. The application referred to on pitch 3 (2011/0379/TP) related to the formation of 7 five-a-side and 1 seven-a-side all-weather pitches and floodlighting and does not therefore compare with the current proposal. It should be noted that 2011/0379/TP was withdrawn by the applicant. The pitches at Muirend are noted however this application must be assessed on its own merits against the development plan and any material planning considerations. It is the choice of the applicant whether to inform residents in advance of their proposal. In this instance the necessary neighbour notification and press advertisement procedures were carried out by the Council's Planning Service in accordance with Scottish Government legislation has been carried out for this application.

If the application is to be approved subject to conditions, the applicant is still required to adhere to other separate legislative requirements. It is not considered that any increase in patronage would be such that air pollution or litter would be increased significantly. The technical specification of the pitch has been designed to allow it to drain. It is the responsibility of the applicant to ensure that the pitch is safe to use and that is constructed properly. Reports of drainage problems with other similar pitches cannot therefore be considered in the determination of this application. Any future applications on the site will be assessed against the development plan and any material planning considerations as and when they are submitted. The other issues raised, including those relating to impact on property values, loss of views and disagreeing with consultation responses, discounting letters of support, are not considered to be relevant in determining this application.

### Overall conclusion

The proposed development is primarily for a change in surface of an existing pitch at the rugby club and is directly related to the existing sports facility at this location. The development is considered to comply with the terms of the adopted Local Development Plan as it is considered to have an acceptable impact on residential amenity subject to a condition controlling the hours of use.

**RECOMMENDATION:** Approve Subject to Conditions

**PLANNING OBLIGATIONS:** None

### **CONDITION:**

1. The artificial grass multi-use pitch and floodlights hereby approved shall not be used outwith the hours of 09:00 to 21:00 Monday to Friday or 09:00 to 18:00 on Saturdays and Sundays.

Reason: To safeguard the residential amenity of the adjacent properties.

### **ADDITIONAL NOTES:**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

The applicant is advised to contact Scottish Natural Heritage on 01463 725 364 for further advice on bats and protected species licencing.

### **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 Plan policies.

### **BACKGROUND PAPERS:**

Any background papers referred to in this report can be viewed at [www.ercplanning.eastrenfrewshire.gov.uk/eplanning](http://www.ercplanning.eastrenfrewshire.gov.uk/eplanning), where you can enter the Reference Number listed below. Any further information can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2015/0619/TP  
(DESC)

DATE: 6th January 2016

**DIRECTOR OF ENVIRONMENT**

**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 soliums 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 D5

#### Protection of Urban Greenspace

Urban greenspace, including outdoor sports facilities, identified on the Proposals Map, will be safeguarded. Proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;

There will be no loss of public access;

There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;

The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

Additionally, for outdoor sports facilities, the following will have to be demonstrated:

The proposal is ancillary to the principal use of the site as an outdoor sports facility;

The proposal involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;

The outdoor sports facility would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or

The relevant strategy, prepared in consultation with Sportscotland, shows that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

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

**GOVERNMENT GUIDANCE:** None relevant

# REPORT OF HANDLING

Reference: 2015/0660/TP

Date Registered: 22nd October 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 6 -Busby Clarkston Eaglesham

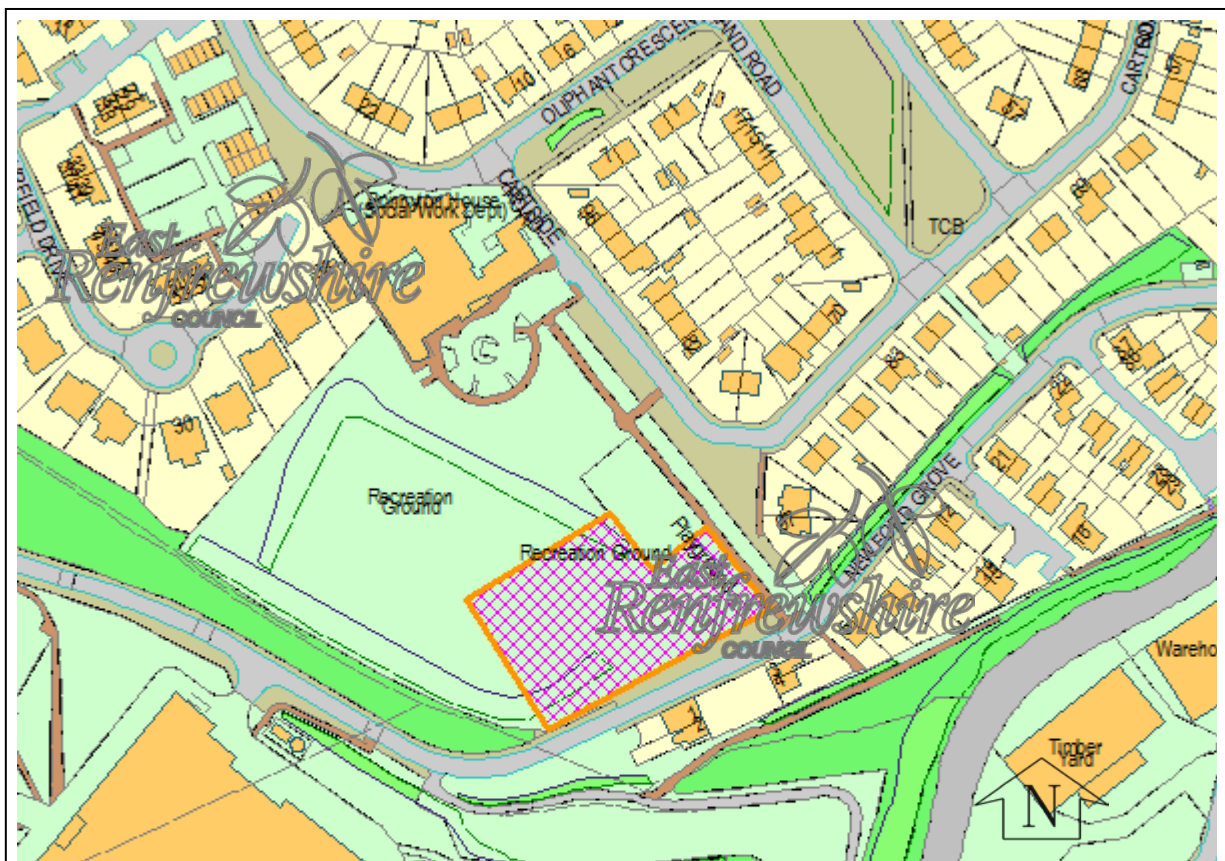
Co-ordinates: 257523/656086

Applicant/Agent: Applicant:  
East Renfrewshire Council  
Director of Education  
Council Headquarters  
Eastwood Park  
Rouken Glen Road  
Giffnock  
G46 6UG

Agent:  
Raymond O'Kane  
East Renfrewshire Council  
2 Spiersbridge Way  
Spiersbridge Business Park  
Thornliebank  
G46 8NG

Proposal: Erection of nursery/family centre building with enclosed playground at rear and formation of associated parking and vehicular access off Newford Grove

Location: Recreation ground south of Bonnyton House and north of Newford Grove, Clarkston, East Renfrewshire



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## CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads And Transportation Service	No objection subject to conditions.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions.
East Renfrewshire Council Estates Section	No observations from an Estates perspective.
Scottish Environment Protection Agency	Recommends a planning condition relating to details of compensatory flood storage.
Busby Community Council	Objects on the grounds that the entrance is in a dangerous position; the car park is located in a flood plain; proposal will not help parking issues in Newford Grove; an alternative entrance was submitted to the Head of Environment (Housing and Property Services) without response; not in the LDP; increase in traffic; and the site is the only park in the area without having to cross a main road.

## PUBLICITY:

06.11.2015      Glasgow and Southside Extra      Expiry date 20.11.2015

**SITE NOTICES:** None.

## SITE HISTORY:

2015/0052/TP - Erection of nursery/family centre building with enclosed playground at rear and formation of associated parking and vehicular access off Newford Grove. Refused 10/06/2015

## REPRESENTATIONS:

A total of 30 representations have been received:  
Representations can be summarised as follows:

- Road/pedestrian safety
- Traffic congestion
- Loss of open space
- Erosion of greenbelt
- Contrary to Policy
- Access problems into Newton Grove
- Position of bus lay-by
- Tree removal/loss of habitat
- Removal of brick gateway feature
- Position of nursery and car parking area
- Disruption during construction
- Position of access into the site/access should be moved to alternative position
- Car park in a flood plain/flooding
- Car park is inadequate in size/will result in overspill
- Inadequate turning facilities in site
- Bat survey inconclusive
- Alternative access position suggested
- Visual impact
- Lack of consultation
- Impact on property values
- Antisocial behaviour as a result of car park being not enclosed

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

### **SUPPORTING REPORTS:**

Extended Phase 1 Habitat Survey	Survey of the site including the ecological implications of a revised site access position. Indicates the habitat type within the site is predominately amenity grassland which is considered to be of low ecological value. The trees along the boundary of the site with Newford Grove are juvenile and unsuitable for bat roosts but offer foraging and commuting opportunities for bats. The trees and ground vegetation at the position of the alternative access have the potential for nesting bird species.
Arboriculture Bat Roost Assessment	Assessment of potential bat roosts of four trees at Newford Grove. The trees were climbed and inspected by licenced ecologists/arborists on 18/08/2015 and no evidence of roosting bats was found during the survey.
Supporting Statement	Indicates that following the refusal of the previous application by the Planning Applications Committee the Council's professional/technical staff undertook a review of the access options available. In doing so, arrangements were made to prepare a design for a revised access option that had been proposed by objectors to the previous application, which was then costed. In addition an ecology report and an addendum to the transport assessment was commissioned. Having taken account of the ecology report, transport assessment addendum and the costs associated with the revised access, concludes that the original point of access remains the optimum, most cost effective and expedient point of access to the site.
Transport Assessment Addendum	Appraises the original and alternative site access proposals and their potential implications, including a detailed review of existing conditions with respect to road safety. Concludes that the original site access scores better than the alternative access.
Flood Appraisal	Review of topography and ground levels as well as confirmation of critical flood relief for the culvert relative to ground levels and proposed minimum finished floor level. Indicates in the event of the culvert becoming blocked or overloaded, flood waters would rise up on the north side of Newford Grove until they reach the lowest road level and then flow over the road to the lower ground on the south side and then discharge to the White Cart Water.

### **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, the application has to be presented to the Planning Applications Committee for determination.

#### Background to current application

It should be noted at the outset that this development proposal was presented to the Planning Applications Committee on 10th June 2015 (2015/0052/TP) with a recommendation to approve subject to conditions. The application was refused against recommendation and the reason for refusal given by the Committee Members was: road safety grounds; the lack of an ecology report; alleged pre-determination of application; and mislead over the land acquisition.

It has been indicated by the applicant that following refusal of the abovementioned application the Council's professional/technical staff undertook a review of access options available, including an alternative position for the access that had been suggested by objectors to the previous application. Taking account of the ecology report, transport assessment addendum and the costs and related programme it has been concluded by the applicant that the original site access is the optimum, most cost effective and expedient point of access to the site.

As a consequence the application has been submitted for the same development as applied for under 2015/0052/TP with the exception of the formation of a bus lay-by on Newford Ground at the front of the site.

### Site description

The site is part of the recreation ground to the south of Bonnyton House, Clarkston and north of Newford Grove and Williamwood High School. The site is specifically the south part of the recreation ground and the application site extends to approximately 0.34 hectares. The majority of the recreation ground is grass and there is an enclosed equipped playground adjacent to a footpath that leads from Newford Grove to Cartside Road. The ground levels rise up from Newford Grove to a general plateau before rising up again to the rear boundary of properties along Fairfield Drive and to Bonnyton House. There is a small burn that runs along part of the site boundary to a culvert.

There is a belt of planting that separates the south-west part of the recreation ground from Newford Grove. The recreation ground is more open opposite the first houses in Newford Grove. There are a series of raised speed tables along Newford Grove and a footpath runs along one side of Newford Grove before it crosses the road adjacent to the first houses in Newford Grove.

### Proposed development

The proposed development involves the erection of a single storey modular building that is to be 36.75m long and 18m wide and 3.6m high. The accommodation within the building is to encompass four play rooms, a family centre room, dining room, offices for the head teacher, an administration office as well as toilets and store rooms.

The proposed building is to provide parental support and nursery places for under 3's as well as 3 to 5 year old children. The building is to be positioned on a general north-east to south-west alignment and approximately 29m back from Newford Grove. There is to be an external playground at the rear and side of the building that extends out 8m from the rear elevation and 5m from the side elevation. The playground is to be enclosed by a 1.5m high fence.

The external materials to be used on the walls of the building are to be a combination of timber cladding with plastisol finished steel cladding panels.

A vehicular access is to be formed from Newford Grove opposite 1 Newford Grove leading to the proposed car park containing a total of 46 spaces. A pathway is to be formed from Newford Grove to the front entrance of the building and there is to be a footpath leading from the side of the building to the existing footpath that leads from Newford Grove to Cartside Road.

The submitted drawings also show the existing footpath being extended across the frontage of the site to the existing footpath that leads from Newford Grove to Cartside Road. A domed roof pram and cycle shelter is to be positioned in front of the proposed building which is to be 4m by 4.6m by 2.7m high. The submitted drawings also show an enclosed bin store to be at the side of the building.

It has been indicated that the proposed development will operate between 8am and 6pm in line with all East Renfrewshire nurseries which will operate between these times from August 2015.

## Development Plan

The application has to be assessed against the relevant policies in the development plan as well as any material planning considerations. In accordance with planning legislation the proposal submitted in this planning application is what has to be assessed to determine whether it is acceptable against the development plan and material planning considerations.

The site is identified in the adopted East Renfrewshire Local Development Plan as important urban greenspace and Policy D5 indicates that urban greenspace will be safeguarded and the loss of such areas will be resisted unless it can be demonstrated that: there is no significant impact on landscape character and amenity of the site and surrounding area; there will be no loss of public access; there will be no or limited impact on nature conservation; the proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace. Policy D5 also contains additional criteria for the assessment of proposals that affect outdoor sports facilities.

It should be noted that the proposed development does not result in the complete loss of the recreation ground and does not interfere with the existing enclosed equipped play area. The majority of recreation ground is grass and recreational activities are not formalised through, for example, the marking out of sports pitches. It does not appear from historic maps that recreational activities have been formalised on site. As a consequence it is considered that the proposed development does not have to be assessed against the last four criteria in Policy D5.

It is acknowledged that the proposed development will result in the loss of part of the greenspace however public access can still occur to the remainder of the recreational space. There will be a resultant visual impact as a result of the development however it is considered that this impact will be localised. There are no natural heritage designations at the site and it is not considered that the development will have significant impacts on nature conservation. It also has to be considered whether there is a community benefit that would justify the loss of the greenspace and in terms of this the background to this application should be noted.

The Council has a statutory duty to make adequate and efficient provision for pre-school education for children following their third birthday until they are eligible to attend primary school. Current pre-five provision in the Clarkston area does not meet demand and the proposed development would enhance local provision to meet that demand. In addition there is no family centre provision in the area. The proposal will provide parental support and nursery places for under 3's as well as 3 to 5 year old children. It is therefore considered that from the information accompanying the application provided by the Council's Education Department that there is a locational requirement for the proposed development in this area.

For the previous application 2015/0052/TP information was submitted regarding why this site was selected and this information remains relevant to this application. The site selection information indicates other potential sites were considered for this proposal in terms of size, topography and accessibility without carrying out detailed ground investigations (Moray Drive, Cathkin Drive, Sunnyside Drive, Seres Road/Mearns Road, Carolside Primary School, Busby Primary School, Oliphant Crescent and Linnpark Avenue). Sites were discounted for a variety of reasons such as steep ground levels, proximity to existing nurseries, loss of play space within school grounds and unsuitable ground conditions. This site selection exercise identified sites in Oliphant Crescent and Mearns Road as being the most suitable. It should be noted that the identified Oliphant Crescent site is at another part of this recreation ground.

The applicant has indicated that during the initial site appraisal exercise the accommodation required for the new nursery was undecided. When the scale of accommodation was confirmed the site at Seres Road/Mearns Road was deemed too narrow and would have severely restricted development. The nursery would have been close to the boundary and therefore access and security was considered to be a problem with overlooking from the steep adjacent land. In addition to this it was discovered that mains services are routed across that site and these would require re-routing.

The application site was then considered to be the preferred location in terms of size, topography and accessibility. The applicant has indicated that the siting of the new nursery adjacent to Newford Grove with access from Newford Grove ensures that:

- minimal disruption is caused during construction and operation for surrounding residents;
- the nursery is easily accessible from Eaglesham Road, ensuring that any increase in traffic does not affect access to existing Primary Schools, HSCP Service and sheltered housing complex at Hawthorn Court;
- access to the nursery from the surrounding residential areas and town centre is achievable for pedestrians and cyclists;
- the proposed nursery building will accommodate a corner of the recreation ground. This minimizes impact on the land and allows the remainder of the site to be available for other community use. The existing playground has not been impacted upon and remains as existing and is adjacent to the proposed nursery, allowing access by parents and children;
- the car park which will be constructed adjacent to the new nursery will be available for use of parents/staff during nursery hours and other users when accessing the existing playground and Williamwood High School facilities. This will reduce the local issue of parking along Newford Grove causing an obstruction.

As indicated above the development will result in the loss of part of the greenspace at this location however the remainder of the greenspace will still be available for general use included leisure and recreational uses. It should be borne in mind that this is not designated as greenbelt land. It should also be borne in mind that the leisure/recreational use of this area has not been formalised by the marking out of playing fields. The proposed development is considered to result in a community benefit and social benefit by providing additional nursery and child care facilities for which the Council has a statutory duty to provide.

It is acknowledged that the proposed building is functional in appearance however it is considered that its visual impact together with the access and parking will be localised to the site and its immediate surroundings. It also has to be borne in mind that there are a variety of building designs and different sizes of buildings in the surrounding area. It is therefore considered that the design of the building and its position is acceptable at this location.

The trees at this location are not covered by a Tree Preservation Order. The submitted plans indicate soft landscaping works are to be carried out although at this time the specific details have not been given. Notwithstanding the landscaping works can be addressed by a planning condition if the development is approved and tree planting would be expected to be part of the landscaping to add to visual interest.

The existing brick gateway wall feature that is to be removed is a small feature and its removal will have a limited visual impact on the surrounding area.

The Council's Roads Service has been consulted on the application and has no objections in terms of traffic generation, the location of access, the amount of parking and turning facilities in the site, and the impact of the development on the roads network. The Roads Service also has no objections to the proposed site access being taken off Newford Grove in the proposed position. Roads Service is satisfied that a service vehicle can enter and exit the site safely in a forward gear.

Policy E4 indicates there will be a presumption against development within functional flood plains and will resist development within areas that are at risk of flooding, in accordance with the risk framework contained in Scottish Planning Policy. The small burn that runs along part of the site boundary to a culvert is not identified as being at the potential risk of river flooding from the indicative information produced by the Scottish Environment Protection Agency (SEPA) although is at potential risk from surface water flooding. SEPA has been consulted on the application and has indicated the presence of surface water flooding on the watercourse can be seen as an indication that the channel may be at risk of fluvial flooding.

The submitted flooding appraisal confirms the lowest point on Newford Grove road surface is approximately 85.5m Above Ordnance Datum (AOD), and it is considered that this is the level which flood waters will build up to. Once flood waters have risen to this level the flood water will then flow over the road to the lower ground on the south site of the road. At this point flood water could rise to

approximately 84.7m AOD before it would flow generally eastward, to discharge into the White Cart Water. The critical flood relief level has therefore been confirmed as 85.5m AOD. This is relative to the proposed finished floor level of the building of 87.0m AOD. The drawing provided in the flooding appraisal clearly demonstrates this flow behaviour. On the basis the nursery is located outwith the area identified as being at flood risk from overtopping of the culvert and SEPA is satisfied the building is not at significant flood risk from the small burn.

The proposed car parking area is located partly within the area identified as being at flood risk from overtopping of the culvert. There is to be some land raising where the car park is to be formed and SEPA consider this land raising in the floodplain to be contrary to the principles of Scottish Planning Policy (SPP). SPP states that land raising should only be considered in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area.

Compensatory storage may be required. SEPA require additional information with regards to the proposed land raising to demonstrate that it accords with the principles of SPP. This should include quantification of the lost volume of floodplain storage associated with the land raising in addition to confirmation of the arrangements for compensatory storage. SEPA is satisfied such information can be provided at a later stage, subject to a planning condition being applied to the proposals to that effect. This can be addressed by a planning condition if the development is approved.

In addition development of this type is expected to incorporate SUDs in the surface water drainage design to management surface water run-off. This is a matter that can be addressed by a planning condition if approved to require SUDs to be incorporated within the surface water drainage design.

### Representations

In terms of the objections that have been received and not already considered in the assessment above the following comments are made.

There is likely to be an element of disruption during any construction project however this in itself is not a reason to refuse a planning application. If the application is approved the construction activities can be managed by restricting construction times by way of a planning condition in order to prevent disturbance to nearby properties. Any traffic management arrangements during construction can also be agreed separately with the Council's Roads Service to minimise disruption to road users.

Reference has been made to the access being in the wrong location and should be moved to the alternative location suggested by residents. It should be noted at the outset that an alternative location for the access is not being proposed in this application by the applicant. In accordance with planning legislation the proposal submitted in the planning application is what has to be assessed to determine whether it is acceptable against development plan policies and any material planning considerations. The assessment above against policy and material considerations concludes that what has been submitted in the planning application is acceptable.

In terms of the bat survey being inconclusive the Survey indicates the trees are of a young age and as a consequence are not suitable as bat roosts. The trees at the site have the potential to be used by bats foraging over a wide area. This is no different to any other trees and is not a reason in itself to refuse a planning application. Should bats be discovered during construction works the developer will be required to obtain a licence separately from Scottish Natural Heritage to remove the bats. This is again no different from any other similar situation. Vegetation is to be removed opposite 1 to 4 Newford Grove and the Survey identifies two ash trees in this area that have bat roosting potential. It is considered appropriate that this part of the site is re-surveyed prior to any development commencing and this is a matter that can be addressed by a planning condition if the development is approved. It is considered competent to attach such a condition.

Criticism has also been made regarding the lack of consultation for this project. This is a Local development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and is not subject to statutory pre-application consultation with the community. This is not a matter for consideration in determining this application.



Impact on property values and potential antisocial behaviour because of misuse of the car park are not material considerations in determining this application.

### Overall conclusion

It is acknowledged that the proposed development results in the loss of part of this greenspace. However in the assessment of the development above it is considered that the loss of part of this greenspace is acceptable for the development that is being applied for. The community and social benefits of providing additional pre-school/children's nursery facilities is considered to outweigh the loss of this part of the protected greenspace.

In terms of the reasons given for refusing the previous application, the reasons relating to the alleged pre-determination of the application and misleading over the land acquisition are not planning reasons. The reason for refusal relating to lack of an ecology report has been addressed in the current application.

It is therefore recommended that planning permission is granted. The assessment and recommendation to approve the re-submitted application is consistent with the recommendation made on the previous application 2015/0052/TP.

**RECOMMENDATION:** Approve Subject to Conditions

**PLANNING OBLIGATIONS:** None

### **CONDITION(S):**

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

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

Thereafter the landscaping works shall be fully implemented as approved.

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

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

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

5. The parking spaces shown on the submitted layout plan (AL(0)004) shall be constructed, surfaced and delineated on the site in all respects before the development hereby approved is brought into use/occupied.

Reason: To ensure the provision of adequate parking facilities to reduce the incidence of roadside parking.

6. 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.

7. The use hereby approved shall only be open to the public between the hours of 8am and 6pm unless otherwise agreed in writing by the planning authority.

Reason: To protect adjacent dwellinghouses from noise/disturbance.

8. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until details of the surface water management and SUDS proposals (allowing for a positive drainage system or sloping the access back into the site) have been submitted to and approved in writing by the planning authority. Thereafter the surface water management details shall be fully implemented as approved.

Reason: In the interests of sustainable development.

9. Visibility splays of a minimum of 2.5 metres by 35 metres shall be provided in both directions at the junction of the new access with the existing road prior to the operation of the nursery hereby approved and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

10. Noise from the proposed development must not exceed residential Noise Rating Curve 35 during daytime and NR 25 at night-time, (as described in BS 8233 1999), as measured from any neighbouring property.

Reason: To prevent noise nuisance to the surrounding area.

11. No development shall take place until a ground investigation report has been submitted to and approved in writing by the planning authority. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby approved shall be submitted to and approved in writing by the planning authority. The site shall be remediated in accordance with the approved measures prior to commencement of construction.

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

12. 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.

13. Development shall not commence until the area of vegetation opposite 1 to 4 Newford Grove (identified as Target Note 5 in the Newford Grove Extended Phase 1 Habitat Survey July 2015) has been re-surveyed for the presence of bats and the survey is submitted to and approved by the planning authority. Any mitigation measures that are identified in the survey and have been agreed by the planning authority shall be fully implemented during the removal of the vegetation and/or during construction of the development.

Reason: To ensure that any bats are identified and any mitigation measures implemented.

14. Development shall not commence until details of compensatory flood storage have been submitted to and approved in writing by the planning authority in conjunction with SEPA. The details to be submitted shall identify the amount of the existing floodplain to be lost as well as the volume and location of the compensatory flood storage area. Thereafter the approved compensatory flood storage area shall be fully implemented in the approved position at the same time as the formation of the car park shown on drawing AL(0)004.

Reason: In the interests of sustainable development and to ensure that compensatory flood storage is provided in association with this development.

#### **ADDITIONAL NOTES:**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

The applicant is reminded that a Road Opening Permit (S56) is required for construction of verge crossover for the site access.

Details of regulatory requirements and good practice advice for the applicant 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 operations team in the local SEPA office at:

Angus Smith Building  
6 Parklands Avenue  
Eurocentral  
Holytown  
North Lanarkshire  
ML1 4WQ

Tel: 01698 839000

**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 Plan policies.

**BACKGROUND PAPERS:**

Any background papers referred to in this report can be viewed at [www.ercplanning.eastrenfrewshire.gov.uk/eplanning](http://www.ercplanning.eastrenfrewshire.gov.uk/eplanning), where you can enter the Reference Number listed below. Any further information can be obtained from Mr Sean McDaid on 0141 577 3339.

Ref. No.: 2015/0660/TP  
(SEMC)

DATE: 6th January 2016

**DIRECTOR OF ENVIRONMENT**

**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 D5

Protection of Urban Greenspace

Urban greenspace, including outdoor sports facilities, identified on the Proposals Map, will be safeguarded. Proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;

There will be no loss of public access;

There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;

The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

Additionally, for outdoor sports facilities, the following will have to be demonstrated:

The proposal is ancillary to the principal use of the site as an outdoor sports facility;

The proposal involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;

The outdoor sports facility would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or

The relevant strategy, prepared in consultation with Sportscotland, shows that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

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

Policy D1

Detailed Guidance for all Development

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

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green Network involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management.

- Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
  7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
  8. The Council will not accept 'backland' development, that is, development without a road frontage;
  9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
  10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
  11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
  12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
  13. Where applicable, new development should take into account the legacy of former mining activity;
  14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
  15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
  16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

#### Policy E4

##### Flooding

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

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

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

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

#### **GOVERNMENT GUIDANCE:**

Scottish Planning Policy on Managing Flood Risk and Drainage indicates the planning system should promote a precautionary approach to flood risk from all sources; flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas; flood reduction by assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and avoidance of increased surface water flooding through requirements for Sustainable Drainage

Systems and minimising the area of impermeable surface. To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

# REPORT OF HANDLING

Reference: 2015/0694/TP

Date Registered: 27th October 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 3 -Giffnock And Thornliebank

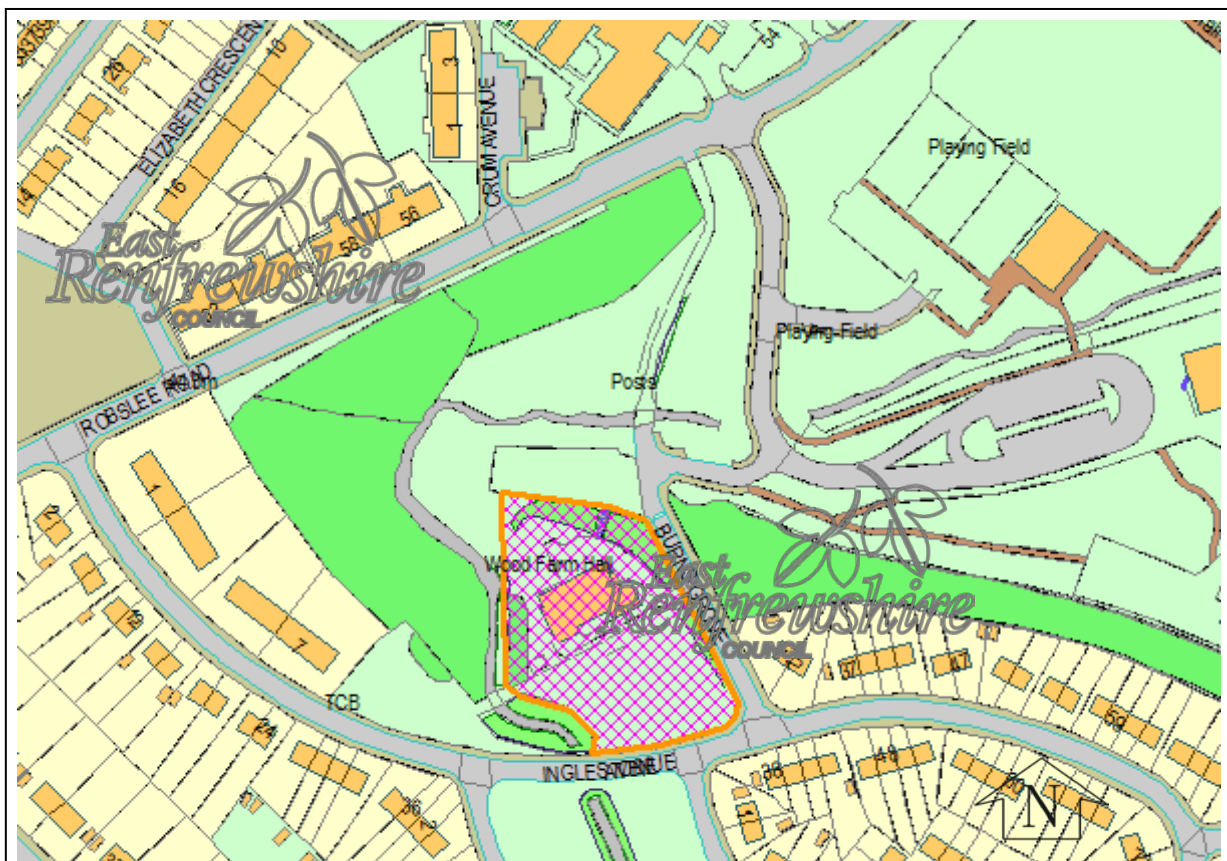
Co-ordinates: 255236/:658896

Applicant/Agent: Applicant:  
Woodfarm Education Trust  
Woodfarm Hall  
1 Burns Grove  
Giffnock  
East Renfrewshire  
G46 7HF

Agent:  
Ingram Architecture & Design  
Ingram House  
227 Ingram Street  
Glasgow  
G1 1DA

Proposal: Erection of two storey extension with formation of car parking and associated ground works and re-location of play area

Location: Woodfarm Hall  
1 Burns Grove  
Giffnock  
G46 7HF



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## CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads And Transportation Service	And	Recommends approval subject to conditions
East Renfrewshire Council Property And Technical Services		Proposal would intensify use; involve loss of amenity ground and could give rise to traffic management issues. Existing lower car park is not associated with the leased site. The proposal will require to be examined in the context of the existing lease regulating the use of the site and buildings and would require landlords consent. To date, this has not been sought by the applicant.
East Renfrewshire Council Environmental Health Service		Recommends restrictions on construction hours.
East Renfrewshire Council Waste Strategy Service		Location and size of bin store acceptable
East Renfrewshire Parks Service		No objections. However notes that attendees sometimes use the car park at the 3G pitch. This car park should only be used by users of the pitch facility.

## PUBLICITY:

06.11.2015 Glasgow and Southside Extra Expiry date 20.11.2015

**SITE NOTICES:** None.

## SITE HISTORY:

1999/0299/TP	Change of use of sports centre to school	Approved	09.08.1999
2014/0696/TP	Erection of two storey extension with alterations and extension to car park and erection of retaining wall	Withdrawn	12.03.2015

## REPRESENTATIONS:

The total number of 1047 representations have been received which comprise 135 objections and 912 in support.

The objections can be generally summarised as follows:

- Loss of visual amenity
- Increased noise pollution
- Loss of greenspace
- Detriment to natural environment
- Construction traffic, disruption to neighbours, school and road users
- Increased pressure on road users
- Increased parking congestion
- Increase in facilities will lead to increase in attendees
- Existing anti-social behaviour
- Relocation of children's play area/associated with development at Balgownie Crescent
- Use of lower car park
- Impact on right of way

The support can be summarised as follows:

Transformed former derelict building

Building too small to meet growing demand for facilities and services

Support local faith community

Educational, cultural and social benefits for Moslem and wider community

Promote racial and religious harmony.

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

### **SUPPORTING REPORTS:**

**Design Statement**                      The Statement gives a description of the development, the current use and constraints and outlines the need for the extension. The design process is outlined together with the attendance numbers and existing and proposed parking arrangements.

**Supporting Statement**                The Statement provides more detailed information regarding, for example, the background to the application and the aspirations for the extended facilities and use of the centre.

### **ASSESSMENT:**

This is a Local Development in terms of the Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009 as the proposed floor area of the extension does not exceed 5000 sq metres. However as more than 10 objections have been received the application is required to be determined by the Planning Applications Committee.

#### Site description

The site is situated on the north side of Inglestone Avenue and on the west side of Burns Grove which is a short cul-de-sac and is located within an established residential area characterised by semi-detached and terraced houses. The site is bounded by a burn to the west, a public car park to the north, open space and residential properties to the east and open space to the south. The site slopes gently downwards from south to north with a set of steps leading down to the public car park which is accessed off Robslee Road. The front of the site to Inglestone Avenue an area of grass and includes an equipped children's play area. This area of grass is a plateau that is generally above the finished floor level of the existing hall and forms part of the setting of the building.

The property, which is a freestanding building with associated car parking, comprises both single storey and two storey elements with flat and ridged roofs. The building accommodates a large multi-purpose community hall, six separate smaller multi-function rooms of varying sizes and ancillary offices and toilet facilities. There is a small dedicated car parking area for the building accessed from Burns Grove. There are bollards on Burns Grove that prevent access to the larger public car park to the north, Our Lady of the Mission School, the sports pitches and Robslee Road.

#### Planning history

Planning permission was granted under 1999/0299/TP for a change of use from sports centre to a school to cater for a small number of pupils who were excluded from mainstream schools. No conditions were attached to the planning permission restricting future uses. This permission was implemented and the use of the premises is considered to be a Class 10 Assembly and Leisure Use under the Town and Country Planning (Use Classes) (Scotland) Order 1997. Class 10 includes use for "the provision of education "and "for, or in connection with, public worship or religious instruction, or the social or religious activities of a religious body". Therefore the current use of the premises as a community hall and for religious activities does not involve a material change of use and does not require planning permission in its own right. The applicant has operated the hall since 2010.

The children's play area was installed on the site as a requirement of a planning condition attached to a planning permission in 2002 for the erection of flats at Balgownie Crescent to compensate for the loss of the original play area. The condition required the play area to be located within an unspecified site within the vicinity of Balgownie Crescent and at the time the site at Inglestone Avenue was considered to be the most appropriate position for the play area.

### Proposed Development

The proposed development involves a number of parts and it is proposed to erect a two storey extension and second storey on the rear of the original building to accommodate a new hall and toilets. The proposed two storey extension would project approximately 9m from the north elevation across approximately 14m at two storeys corresponding with the current building. There would be a small flat roofed single storey extension, approximately 4m by 4m, to provide an entrance to the new hall, which following internal alterations, would be linked to the existing building. To the rear of the proposed hall, there would be a smaller two storey extension to accommodate a fire escape. The existing flat roofed section to the rear would be extended to from a second storey to accommodate female toilets, office and another multi-function room. Externally, the extensions would comprise two co-joined dual pitched ridged roofs which would be finished in profiled metal to match the existing building. The new external walls would be rendered, again to match the existing building with a facing brick base course.

The existing car park is small and has limited capacity for car parking. It is proposed to alter the ground levels to the rear of the existing car parking to form an extended hardstanding to accommodate a total of 8 spaces which includes 3 disabled spaces. To achieve this, a 1.5m high retaining wall would be built along the north boundary of the site where it abuts the existing public car park. The ground levels would be raised behind the retaining wall to align with the existing car park at the centre. The existing flight of steps would be reconfigured to take account in the change of levels and to maintain access to and from the centre car park and the public car park.

To the front of the site and adjacent to the building, the grassed area would be excavated by approximately 1m to form a car parking area approximately 36m long by 16m wide to provide 32 additional car parking spaces. The existing access point would be retained but widened within the site to service the proposed new car park.

To the south of the abovementioned new car park, an overspill car park is proposed. This will result in a further area of the grass to be excavated by approximately 38m by 16m to provide a further 30 spaces. It is proposed to surface the car park using a reinforced surface which allows the water to drain but has the appearance of grass and allows vehicles to manoeuvre without damage to the substrate. This car parking area would be accessed from the main car park described in the paragraph above.

It should be noted that, at the applicant's expense, it is proposed to reposition the existing bollards on Burns Grove. Consequently vehicular access to the car parking would be via Robslee Road only.

To accommodate the overspill car park, it is proposed to relocate the existing play area within the remaining grassed area adjacent to the junction of Inglestone Avenue and Burns Grove with access taken Inglestone Avenue.

### Supporting information

The applicant has submitted information regarding the proposed use of the extended building. The existing building is currently used for a variety of purposes that includes education, sport, prayer meetings and religious festivals. The weekly prayer services occur on Fridays and Eid services and Ramadhan services occur twice a year and this is when maximum attendance would be expected. Due to increasing demand from existing users, the proposals will expand the availability and type of current facilities. There would also be additional facilities including nursery and day care facilities and leisure uses.

The applicant has indicated there is not anticipated to be an increase in numbers attending the extended hall and has referred to organizing multiple services throughout the day to timetable these to avoid peak traffic times. The applicant has also indicated that they will monitor and enforce an overall maximum attendance limit of 200. However how they intend to enforce the maximum attendance of 200 has not been specified.

The two distinct uses i.e. community uses and daily prayers, and Friday prayers and Festivals are carried out separately from each other. For community uses, the scheduled times indicate that the hall would effectively be open 7 days a week from 7.00am to 9.00pm. The nursery/day care facilities are to operate between 8am and 6pm with community/leisure use operating between 10am and noon and 5pm to 9pm.

Daily prayers are to occur at 7am, 2pm, 5pm and 8pm. Friday prayers would generate attendances of approximately 100 to 200 in the afternoon between 2pm and 3.30pm (summer) and 12.30pm and 1pm (winter). Religious festivals would be held twice a year with expected attendances of 200 at 7am, 10am and 11am.

### Development Plan

The application is required to be assessed against the Development Plan and any material considerations. The Development Plan consists of the adopted East Renfrewshire Local Development Plan and it's supporting Supplementary Planning Guidance on Green Network and Environmental Management.

The site is located within the General Urban Area which is covered by Policy D2. This policy presumes against developments which are not compatible with the amenity and character of the locality and the surrounding land uses and do not comply with the other appropriate policies in the Development Plan. Although the site is located within a residential area, the locality is not predominately residential in character with educational uses in and around Robslee Road with Our Lady of the Mission Primary School located within 200m of the application site. It is acknowledged that the application property has been in existence for many years and has latterly been operated by the applicant since 2010.

The proposed development is associated with the existing use of the premises and as a consequence is considered to be acceptable in general terms against Policy D2 although the impact on amenity of the locality has to be considered further.

The site is specifically identified as Urban Greenspace and is covered by Policy D5 which states that proposals will be resisted unless it can be demonstrated that there is no adverse impact on the landscape character and amenity of the site and the surrounding area; no loss of public access; no adverse impact on nature conservation. The Policy supports development that would result in a community use, the benefit of which outweighs the loss of the urban greenspace. Policy D5 also contains additional criteria for the assessment of proposals that affect outdoor sports facilities which are not relevant to the consideration of this application.

The site is part of a larger area of Urban Greenspace which extends from, and includes, Eastwood Park to Robslee Road. In terms of assessing the development against Policy D5, consideration requires to be given to the impact the development would have on the existing recreational and/or leisure use of the application site. The majority of the site is grass with the formal recreational use confined to a small children's play area which, as part of the development proposal, would be relocated approximately 25m east of its current position.

It is acknowledged that the proposed development would result in the loss of greenspace that surrounds the existing building but public access will be maintained to the remainder of the wider recreational space. There will inevitably be a resultant visual impact however this is considered to be localised and would not compromise the wider and larger urban greenspace of which the application site forms only a small part. Consideration will require to be given as to whether there would be a community benefit to justify the loss of the greenspace. The development will result in expanded and improved facilities for the existing use and as a consequence this is considered to be a community benefit that can outweigh the loss of part of the urban greenspace.

There are no natural heritage designations on the site. The application site is adjacent to a Local Biodiversity Site although it is not anticipated that the proposed development would significantly compromise established fauna and flora.

Drawing the above matters together, it is considered that the proposed development would not conflict significantly with Policy D5.

The site is located within the Green Network and Policy D4 seeks to protect, promote and enhance the wildlife, recreational, landscape and access value of these areas and developments which would have an adverse impact will be discouraged. As the site forms only a small part of the much larger local and district wide green network it is considered that the proposal would not conflict significantly with Policy D4 for the same reasons as referred to in the assessment against Policy D5.

The proposal also has to be assessed against Policy D1 which sets out criteria against which all development proposals are assessed. The relevant criteria are in this case considered to be: 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; 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; and 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.

Although the immediate area adjacent to the site is characterised by flats, two storey semi-detached and terraced dwelling houses, there are other non-residential properties in the vicinity. The existing building is functional in appearance and the proposed development is also functional in appearance. The proposed extensions and external alterations are considered to reflect the design and appearance of the existing building. The visual impact of the proposed extensions is therefore not considered to result in a significant loss of character or amenity to the surrounding area.

The car parking requirements for this development are determined by the use and the extent of the floor area. The Council's Roads Service has advised that, based on the details of the application, 70 spaces are required and this can be achieved by the applicant. Eight car parking spaces can be accommodated to the rear of the extended building with minimal impact on the amenity and character of the site or surrounding area. The remaining 62 spaces would be accommodated at the front of the building and would involve re-grading of the site to form two large levelled areas. This would inevitably have a visual impact on the area particularly when the car park is occupied. The proposed use of specialist hardstanding can lessen the visual impact of the car park.

The current use has been operating since 2010 and includes, at certain times of the year, large numbers of attendees to the site. These periods correspond with particular religious festivals that occur twice a year as detailed in the "supporting information" section above.

The objections submitted express concern about issues such as noise and disturbance and issues with on-street parking. It has to be considered whether these locally experienced issues would significantly increase as a result of the proposed development and whether the improved parking and access proposals will assist with these issues. It should be noted that the Council's Environmental Health Service has not received any formal complaints to date.

As indicated above the applicant has advised that the number of attendees would not be expected to increase and has offered to self-monitor this and to limit attendees at any one time to 200. The expanded facilities could potentially, on occasion, lead to a higher level of use than occurs at present and could have an impact on the amenity of the residential properties adjacent to the site and the immediate area. It has to be considered whether this can be addressed by planning conditions. It is considered that such a condition can be used subject to the details of how attendance is to be restricted/limited being provided by the applicant before any development commences in conjunction with the submission of a Green Travel Plan.

In terms of the size, scale and detailing, the proposed extensions relate satisfactorily to the building and the wider area and as such there is not considered to be a conflict with Policy D1(2).

For reasons previously discussed, the proposal will not conflict with Policy D1(4).

Policy D1(9) relates to the road and access requirements. It is recognised that there are traffic issues in the area at times due to traffic associated with the high school, local primary schools, use of sports playing fields and the Woodfarm Centre. The proposed new areas of car parking, would meet the requirements of the Council's Roads Service. However this is only on condition that the number of attendees is limited to 200 at any one time and that community use and Friday prayers/festival use must not occur at the same time. The applicant has confirmed that there is no combination of community and Friday prayer/festival uses. Given this, it is considered that the proposal complies with Policy D1(9) as the parking situation will be improved and the increase in traffic will be accommodated within the existing road network.

The proposal involves the relocation of the bollards on Burns Grove to prevent vehicular access to the site from this road. It is noted that the section of Burns Grove from its junction with Inglestone Avenue to just beyond the current bollards forms part of the public road network and was subject to a Stopping-Up Order in 1992. If planning permission is granted for the proposed development, the existing Stopping-Up Order would require to be amended to relocate the bollards. The procedures involved in this would be at the applicants' expense.

The exact type and position of the bollards will also have to be agreed with their position taking into account the existing driveway at 4 Burns Grove and to allow for a bin lorry to manoeuvre. These details can be addressed by a planning condition if the development is approved.

The proposed relocation of the bollards would be considered to have limited impact on the number of vehicular movements on Burns Grove due to the limited size of the current car park. It is considered that the proposal accords with Policy D1(9).

#### Supplementary Planning Guidance

Supplementary Planning Guidance (SPG) - Green Network and Environmental Management supports Policies D4 and D5 and provides more detailed guidance on the implementation of these policies. The proposed development does not conflict with the SPG for the same reasons as referred to in the assessment against Policies D4 and D5 above.

#### Representations

In terms of the objections that have been received and that have been addressed in the assessment above the following comments are made.

In terms of potential disruption during construction there is likely to be an element of disruption during any construction project however this in itself is not a reason to refuse a planning application. If the application is approved the construction activities can be managed by restricting construction times by way of a planning condition in order to prevent disturbance to nearby properties. Any traffic management arrangements during construction can also be agreed separately with the Council's Roads Service to minimise disruption to road users.

The current use of the premises does not require planning permission. Consequently, the Council as planning authority has no control over the hours of operation or the provision of adequate car parking. The current application gives the opportunity to approve the proposal subject to conditions in accordance with the provisions of the Scottish Government Circular 4/1998.

Section 149 of the Equality Act 2010 requires public authorities to have regard to the need to take steps to meet the needs of persons who share a relevant protected characteristic (for example religion or belief) that are different from the needs of persons who do not share it, and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Any restrictions on opening hours would therefore impact on, for example, prayer times and festivals and would conflict with the Equality Act 2010. However it is considered competent to attach a suspensive planning condition requiring details of how the applicant intends to restrict/control attendance in accordance with the figures the applicant has indicated. The

details are required to be submitted for the further approval in writing before any development commences on site.

Should there be any existing anti-social behaviour this is a matter for the police to address.

It should be noted there is no Right of Way at the site.

### Overall conclusion

The site has been used for a variety of community uses for a number of years and there are no planning issues with its current and continued use as an educational and religious facility. Users of the premises would benefit from improved facilities and a new and larger car park. Local residents would benefit by the closure of the existing vehicular access from Burns Grove and the provision of additional off-street parking and the wider use of the car park. The applicant's desire to improve the existing facilities is acknowledged and is in general terms supported. However there is the potential for general disturbance to existing nearby properties to occur on occasion should attendance not be controlled and as such it is proposed to attach conditions to address this aspect of the development.

It is considered the proposal accords with the Development Plan and is acceptable at this location.

**RECOMMENDATION:** Approve subject to conditions

### **CONDITIONS:**

1. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces (including the car park surfacing material and the waste storage area) 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 a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Details of the scheme shall include (as appropriate):-
  - i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
  - ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;
  - iii) Details of the phasing of the landscaping works;
  - iv) Proposed levels; and
  - v) Schedule of maintenance.

Thereafter the landscaping works shall be fully implemented as approved.

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

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

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

4. The parking spaces shown on the submitted layout plan 1515-02 Rev E shall be constructed, surfaced and delineated on the site in all respects before the development hereby approved is brought into use/occupied.

Reason: To ensure the provision of adequate parking facilities to reduce the incidence of roadside parking.

5. 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.

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

Reason: In the interests of sustainable development.

7. 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.

8. Development shall not commence until a scheme for the provision of the re-located equipped play area has been submitted to and approved in writing by the planning authority and shall include:
- a) details of the type and location of play equipment, seating and litter bins to be situated within the play area;
  - b) details of the surface treatment of the play area, including the location and type of safety surfaces to be installed;
  - c) details of fences to be erected around the play area;
  - d) details of the phasing of these works; and
  - e) details of the future maintenance of the play area.

Thereafter the play area shall be fully implemented as approved and maintained in accordance with the approved scheme.

Reason: To ensure the provision of adequate play facilities at the site.

9. Development shall not commence until details of the re-location of the bollards on Burns Grove has been submitted to and approved in writing by the planning authority. The details shall include the type of bollards to be installed, their exact location (to allow for a bin lorry to manoeuvre on Burns Grove and to not block access to the driveway at 4 Burns Grove) and the timescale for their installation which shall be prior to the use/occupation of the extended hall. Thereafter the bollards shall be fully implemented as approved.

Reason: To ensure the bollards are installed prior to the development being brought into use/occupied.

10. Development shall not commence until details of measures to restrict attendance in accordance with the information in the Supporting Statement dated 10<sup>th</sup> October 2015 has been submitted for the approval in writing by the planning authority. The details shall include measures to monitor and record attendance and limit the maximum number of persons in the centre to 200 at any one time. The records of attendance shall be retained and made available for inspection at the written request of the planning authority.



Reason: In the interests of roads safety and to reduce the incidence of overspill parking in nearby residential streets.

11. Development shall not commence until a Green Travel Plan for those attending the site has been submitted to and approved in writing by the planning authority. The Green Travel Plan shall consider walking, cycling and public transport access to the development and identify measures to be provided, mode share targets, the system of management and reporting mechanisms. Thereafter the approved plan shall be fully implemented prior to and during the operation of the extended hall hereby approved.

Reason: To be consistent with the requirements of Scottish Planning Policy on promoting sustainable transport and active travel.

**PLANNING OBLIGATIONS:** None

**ADDITIONAL NOTES:**

The applicant is reminded that a separate Road Opening Permit (S56) under the Roads Scotland Act is required for alterations to the footway crossover.

The applicant is reminded that an amendment to the existing Stopping-Up Order is required.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

**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 Plan policies.

**BACKGROUND PAPERS:**

Any background papers referred to in this report can be viewed at [www.ercplanning.eastrenfrewshire.gov.uk/eplanning](http://www.ercplanning.eastrenfrewshire.gov.uk/eplanning), where you can enter the Reference Number listed below. Any further information can be obtained from Gillian McCarney on 0141 577 3116.

Ref. No.: 2015/0694/TP  
(GMcC)

DATE: 6th January 2016

**DIRECTOR OF ENVIRONMENT**

**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 soliums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;

15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

#### Policy D2

##### General Urban Areas

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

#### Policy D4

##### Green Network

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

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

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

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

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

#### Policy D5

##### Protection of Urban Greenspace

Urban greenspace, including outdoor sports facilities, identified on the Proposals Map, will be safeguarded. Proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;

There will be no loss of public access;

There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;

The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

Additionally, for outdoor sports facilities, the following will have to be demonstrated:

The proposal is ancillary to the principal use of the site as an outdoor sports facility;

The proposal involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;

The outdoor sports facility would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or

The relevant strategy, prepared in consultation with Sportscotland, shows that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

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

## Policy D8

### Natural Features

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

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

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

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

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

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

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

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

## Policy D13

### Community, Leisure and Educational Facilities

The Council will safeguard and, where appropriate, undertake improvements to existing facilities. New facilities should be located where they are accessible by a range of transport modes. The provision of community, leisure and educational facilities will be a core component of any master plan.

Proposals which would result in the loss of existing community/ leisure/educational facilities will only be supported where it can be clearly shown that:

Appropriate alternative local provision of at least equivalent suitability and accessibility will be provided; or

That the existing use is no longer required/viable; or

There is no demand and the facility is incapable of being made viable or adapted for other community, leisure or educational uses.

The Council will support the implementation of the projects listed in Schedule 7.

**GOVERNMENT GUIDANCE:** None relevant