

# REPORT OF HANDLING

Reference: 2014/0372/TP

Date Registered: 3rd June 2014

Application Type: Full Planning Permission

This application is a Major Development

Ward: 1 Neilston Newton Mearns North Uplawmoor

Co-ordinates: 252285/:655734

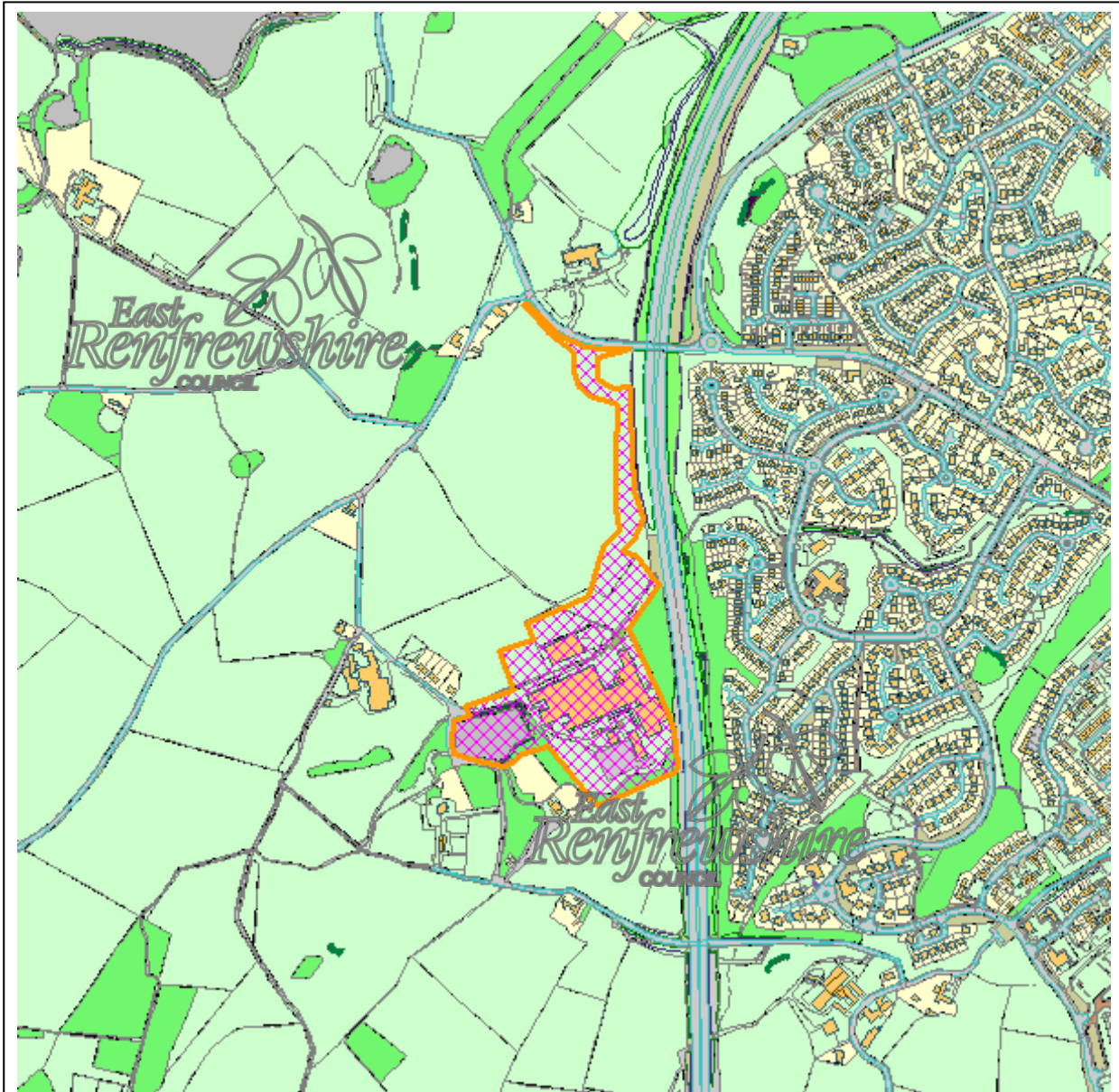
Applicant/Agent:

Applicant:  
Whitecraigs Developments Limited  
c/o Gildeas Limited  
97-99 West Regent Street  
Glasgow  
G2 2BA

Agent:  
Jewitt And Wilkie Architects  
38 New City Road  
Glasgow  
G4 9JT

Proposal: Erection of retirement residential community comprising 320 apartments (in total), 66 bed care home and multipurpose village centre that includes apartments and residential rooms with the formation of a new access road from Aurs Road

Location: Netherplace Works  
180 Netherplace Road  
Newton Mearns  
East Renfrewshire  
G77 6PP



**DO NOT SCALE**

Reproduced by permission of Ordnance Survey on behalf of HMSO. (C) Crown Copyright and database right 2013. All Rights Reserved. Ordnance Survey License number 100023382 2015, East Renfrewshire Council.



## CONSULTATIONS/COMMENTS:

4

West Of Scotland Archaeology Service	Recommends an archaeology watching brief condition.
Scottish Environment Protection Agency	No objections on flooding grounds subject to a condition relating to the details of the proposed bridging structure within the site.
East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions.
East Renfrewshire Council Environmental Health Service	No objections subject to conditions.
East Renfrewshire Council Property and Technical Services	No objections.
East Renfrewshire Council Community Health and Care Partnership	Indicates that the case for another care facility within the community of Newton Mearns is not made. The developers have made assumptions based upon local demographics that take no real cognisance of current Government policy around care of older people and the need for alternative and sustainable models of care. Concerns raised that this development is unlikely to add value to the choices already available within the local care home market and will lead to a consequential and ultimately unsustainable pressure on both council and NHS services locally.
East Renfrewshire Council Affordable Housing and Development Contributions Officer	No objections subject to the satisfactory conclusion of a legal agreement to secure the agreed development contributions and affordable housing contribution.
Newton Mearns Community Council	No response at time of writing.
Glasgow Airport	The development could conflict with aerodrome safeguarding criteria and recommends a planning condition relating to the submission of soft and water landscaping proposals.
Transport Scotland Trunk Roads Network Management	Recommends conditions be attached should permission be approved relating to measures to be introduced along the boundary of the site with the M77.
Scottish Water	No objections.
East Renfrewshire Council Acting Economic and Regeneration Manager	In the past the intensification of industrial and/or business uses at Netherplace Works has always faltered due to the prohibitive cost of creating a suitable road access. The proposals have never stacked up for an operator or developer because of the lower land values for industrial uses. The site is safeguarded in the new LDP for business and employment but is unlikely to be ever used for more "traditional" industry.
Scottish Natural Heritage	No objections. Suggests a condition relating to construction being outwith the bird breeding

season.

**5**

Strathclyde Partnership For Transport

Concerns raised that the site is remote from the existing public transport network and existing communities. Suggests a planning condition requiring details of the introduction and operation of the regular mini bus service referred to in the Design and Access Statement and the submission of a Travel Plan for all users of the site.

**PUBLICITY:**

13.06.2014 Glasgow and Southside Extra Expiry date 27.06.2014

**SITE NOTICES:** None.

**SITE HISTORY:**

2004/0003/CL: Certificate of lawfulness in respect of the proposed use of factory premises as a Class 4 (business) use. Granted 16.09.2004.

2004/0004/CL: Certificate of lawfulness in respect of the existing use of factory premises as a Class 5 (general industrial) use. Granted 16.09.2004.

2006/0629/TP: Subdivision of factory into six industrial/business units and part change of use to permit proposed units 3, 4, 5 and 6 for storage and distribution (Class 6) use. Refused 05.11.2008. Subsequent appeal dismissed by the Scottish Ministers 13.03.2009.

**REPRESENTATIONS:**

A total of twelve representations have been received of which eleven are objecting and one is in support:

**Representations can be summarised as follows:**

- Ground conditions/structural problems
- Concentration of retired people at one location
- Access road location not owned by applicant/no servitude rights for proposed use/applicant does not own land
- Netherplace Road not suitable for construction traffic
- Out of scale/character with existing Netherplace properties
- Development not near local services or shops/bus routes
- Contrary to development plan
- Not integrated
- Noise/light pollution from access road
- Leave unsuitable/unusable agricultural ground
- Will put pressure on medical and other services
- Affect wildlife through reduction in size of pond
- Precedent for future development in greenbelt
- Loss of privacy
- Risk of Flooding
- General support expressed for the development as it will help future housing requirements for an ageing population

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

**SUPPORTING REPORTS:**

- Design Statement Analyses the design context relating to the development and the concept of the project in terms of national and local planning policies, together with environmental and economic impacts.
- Flood Risk Assessment Assesses the flood risk at this location primarily in relation to the Capelrig

and addendum	Burn that runs through the site, the reservoir and also considers other potential sources of flooding. Concludes that the greatest risk of flooding is from the Capelrig Burn, exacerbated by a potential failure of the M77 culvert. Recommends mitigation measures to ensure that flooding does not occur downstream and for SUDS to be incorporated within the site.
Energy Statement	The Statement indicates an Energy Strategy that prioritises energy efficiency before consideration of low impact plant and equipment and before low and zero carbon technologies. All buildings on site will be designed to reduce energy demand using the best techniques of passive design and construction.
Air Quality Assessment	Assesses the impact that existing and future traffic movements, including any increase as a result of the development has on air quality has been undertaken for six representative receptor locations within the development and at a further location where the traffic impact generated by the development is considered to have the greatest impact. Concludes that there is no change in air quality as a result of the development for within the development and an imperceptible one outwith the site.
Landscape/visual impact assessment	Assesses the visual impact of the development on the surrounding landscape and from a number of selected viewpoints.
Transport Statement	Assesses the transportation impacts of the development on the surrounding roads network; the accessibility of the site by a range of transport modes and estimates the number of trips.
SUDS and Drainage Strategy	Assesses the foul and surface water run-off from the proposed development and to demonstrate how the proposed drainage infrastructure impacts on the existing network. The objectives of the proposed drainage infrastructure include developing of natural catchments where possible, controlling pollution at source and reducing any negative effects on the receiving existing watercourses and foul sewage network,
Case Study Example	Record of the visit to Hagley Road Retirement Village, Edgebaston, Birmingham by the applicant's agent to review the project and gauge the success of a purpose built retirement village.
Noise Impact Survey	Assesses the potential impact of noise on the proposed development from the M77 and consideration of noise control measures required to maintain acceptable noise levels in amenity areas and within internal rooms.
Protected Species Surveys	Surveys carried out to identify the presence of protected species on site and identify mitigation measures. The presence of bats and otters was identified in the surveys.
Asbestos Survey	Objective of the Survey is to locate suspect asbestos containing materials as far as reasonably practicable, sample and analyse these materials and thereafter undertake a Risk Assessment of asbestos materials identified. Makes recommendations for the removal of all asbestos detected prior to the demolition of the buildings.
Pre-application consultation report	This Report summarises the statutory pre-application consultation with the community carried out by the developer.
Planning Statement	The applicant has provided an assessment of the proposal against Scottish Planning Policy; the Glasgow and Clyde Valley Strategic Development Plan; the adopted East Renfrewshire Local Plan; the proposed Local Development Plan; and material planning considerations.
Site Investigations Report	Assesses environmental or geotechnical constraints relating to the proposed development including ground investigation to provide further information on possible development constraints relating to the site's proposed development usage. Recommends further investigations and assessments following demolition of the existing buildings and

**ASSESSMENT:**

This is a Major Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

Netherplace Works is identified in the adopted East Renfrewshire Local Plan to be retained for business/industrial purposes. As the re-development of the site is for residential development and a care home it is therefore considered that this proposal is a significant departure from the Development Plan. As a consequence the application has to be the subject of a pre-determination hearing by the Planning Applications Committee before being determined by the full Council.

The Site

The site is located in an undulating farmland landscape to the west side of the M77. To the east side of the M77 there is the existing built up area of Newton Mearns. The M77 is elevated above the site as it runs parallel to it. The area of the existing Netherplace Works extends to approximately 6.2 hectares. Netherplace Works contains a number of industrial/warehouse type buildings including a tall chimney that is indicated as 40m high. The larger of the existing buildings range from approximately 8m high to approximately 13m high. There is a reservoir at the south west side of the site associated with the former dye works as well as the vehicular entrance into the site. There are a number of residential properties adjacent to and in the vicinity of the site. The field to the north of Netherplace Works is undulating farmland which is bounded on its north side by Aurs Road.

The Proposal

Permission is sought for the erection of a residential retirement community following the demolition of all the existing buildings on site. In particular the development involves erecting a two storey care home at the north side of the site; 12 individual residential blocks; and a centrally located block incorporating a "village" centre with attached residential blocks. There are to be 299 apartments. The proposed blocks range from two storeys to five storeys in the village centre block. The village centre is to accommodate a variety of leisure and recreational uses (including a multi-purpose hall and gym) and other facilities (restaurant, hairdressers, shop, etc) as well as 21 rooms that are called "hotel rooms". The function of these "hotel rooms" is described later in this report.

As stated the existing buildings on site vary in height with the tallest buildings ranging from approximately 8m to 13m high. The proposed buildings also vary in height depending on the number of storeys. The tallest building is the Village Centre which is approximately 16m high across the majority of its design although there is an upward projection that is approximately 23m high. The care home is to be two storeys and approximately 8.4m high. The residential blocks vary from two storeys to three and four storeys and range in height at their lowest from approximately 8.4m high to the highest at approximately 16m high.

It has been indicated that the development is to occur in six phases with the demolition and site preparation forming the first phase then followed by the construction of the care home and access road in the next phase. Thereafter the blocks are to be constructed in subsequent phases in the north part of the site to the south and then across to the west of the site. The construction is indicated to start and be completed over approximately a three and a half year period.

The main external materials to be used on all of the proposed buildings are facing brick and concrete tiles with feature cladding panels to be used on the elevations. The design concept is to celebrate the former industrial heritage of the site although the applicant's agent recognises little remains of the original dye works at the site. The design concept is also of a Village Centre linked directly to accommodation provided for higher care and dependency surrounded by housing arranged in accordance with a hierarchy of care requirements. Each residential block is to have a common architectural theme. The fragmented roof form of the former Works as well as the fragmented arrangement of the dye works buildings have also been indicated as being reflected in the design. The residential blocks closest to the M77 have been designed to have monopitch roofs in order to address and act as a buffer to the traffic noise from the motorway whereas the other residential blocks are to have dual pitch roofs.

In addition a new access road is to be constructed by the developer through the field to the north of the site. This access road is approximately 400m long and for most of its length is parallel to the M77 before turning in a westerly direction and then north to Aurs Road opposite Whitecraigs Rugby Club. Its

point of access onto Aurs Road is approximately 22m to the east of the existing access into Whitecraigs Rugby Club. No other access is proposed in the development as part of the planning application and it has been indicated that the existing access off Netherplace Road is to be blocked off and retained for emergency access only although specific details of this have not been submitted at this time.

There is also to be ancillary development within the site including a bowling green, a tennis court, a putting green, and car parking with a gatehouse at the north part of the site where the access road enters the main part of the site. Approximately half of the existing reservoir at the south west part of the site is to be built over and its remainder is to be a feature pond. The remainder of the pond is also to be deepened.

In order to address the traffic noise from the M77 an acoustic fence/barrier has also been included in the development. This fence/barrier is to be located parallel and immediately adjacent to the M77 (outwith the application site) as well as along the south boundary of the site. This aspect of the development is to comprise a 2 metre high embankment with a 4 metre high fence on top. The submitted information indicates that the fence is not to be a standard vertical boarded timber fence and can incorporate planting both on the fence and on the embankment in front of it. Although the majority of this fence/barrier is outwith the application site Transport Scotland has indicated that they are happy with the principle of the proposed acoustic barrier on their land. In order to construct the fence the developer has to have control over the land outwith the site and will have to agree this separately with Transport Scotland. However as Transport Scotland has agreed the principle of having the barrier on their land it is competent to consider this as part of the proposed application and if approved conditions can be attached to require its erection at an early stage of the development.

There will also be some changes in ground levels across the site that involve raising and lowering levels. The largest changes in ground levels are to be at the south end of the site where the levels are to be reduced by between approximately 3m and 3.5m. Levels would be raised by approximately 2.5m towards the centre of the site where there is a dip in the site and where the village centre building is to be constructed. Levels would also be raised by up to approximately 5m at the east part of the site where there is another dip in the site.

Information has been submitted by the applicant's agent to describe how the development is to function. This indicates the Retirement Village concept is relatively unique in the Scottish context and this would be the first of its kind in East Renfrewshire. The applicant has indicated there are examples of operational models of this type most notably in America and also in England. The applicant considers the Retirement Village is not a residential development in the conventional sense, nor is it simply a development catering for the residential needs of the more mature sectors of the population (such as the McCarthy and Stone model of which there are examples in East Renfrewshire). The retirement village is intended to be a place to secure a lifestyle where residents have access to a range of accommodation, healthcare, leisure, and other facilities, in a safe and secure environment specifically designed for an ageing population and their needs collectively and individually.

The Village would be run by a management company to address the day to day and other needs of the Retirement Village operation and its residents. A monthly charge would be paid by residents for the maintenance of the external environment and shared facilities. In addition, the management company would provide for a range of care and support services on an "as required" basis which would be charged on usage. Private healthcare arrangements are likely to cover the medical elements for many of the village residents.

The applicant has indicated that in practical terms it is likely that most residents will have a significant degree of independent living and will benefit from the range of leisure and other facilities available in addition to the opportunities for social and other interaction. Those with most support requirements who can live independently will be located closest to the Village Centre with those with greatest care needs being accommodated within the proposed care home. The provision of the care home has been indicated as being integral to the Retirement Village model.

In order to live within the Village, other than in the care home, residents will purchase their individual apartment. Each purchaser will be required to be at least 55 year old. Each resident will be assessed (as required) with respect to their individual needs and, where required, a care package will be put into place. The Village is designed to allow residents to have independent living, with assistance as required, up to the point, should it arise, where a care home environment is required. The Village and its array of facilities, is designed to meet all of the residents needs for the remainder of their life should they wish to remain part of the Retirement Village community.

Where an apartment within the Village is to be re-sold, this is arranged through the Retirement Village management company. An agreed sum will be payable to the owner or their heirs before the property is re-sold to another party. This is a requirement for all sales/purchases in order that the management company retains control over occupation.

In addition to the 299 apartments, the 21 "hotel" rooms comprise a mix of 1 bedroom apartments and en-suite bedrooms. These rooms are designed to assist the function of the Retirement Village by providing: short term occupancy for new residents awaiting their apartment to be ready for occupation; short term occupancy for residents moving from one apartment to another or awaiting a move into the care home; short term occupancy for residents having alterations/upgrades to their individual property; and short term occupancy for resident's families visiting them.

### Scottish Planning Policy

Scottish Planning Policy (SPP) introduces a presumption in favour of development that contributes to sustainable development and indicates that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place but not to allow development at any cost.

The SPP indicates that decisions should be guided by a number of principles. The most relevant to this application are considered to be: giving due weight to net economic benefit; responding to economic issues; supporting good design; making efficient use of existing capacities of land, buildings and infrastructure; supporting delivery of accessible housing and business development; improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation; having regard to the principles for sustainable land use; avoiding over-development; and protecting the amenity of new and existing development.

These principles will be considered in more detail in the assessment against the relevant development plan policies below.

### Development Plan

Strategy Support Measure 10 of the Glasgow and the Clyde Valley Strategic Development Plan (2012) indicates that Local Authorities should continue to audit their housing land supply in light of prevailing market conditions and other changing circumstances, with a view to maintaining a five years effective housing land supply across all tenures throughout the period to 2020. Where the supply needs to be augmented, priority should be given to bringing forward for earlier development any sites which have been allocated in the LDP for construction in the period 2020 to 2025. The SDP indicates that if further sites are needed, their identification should be guided by criteria to find the most suitable locations; that there are no insurmountable infrastructure constraints or funding; the site is of a scale capable of being completed in the next five years.

Netherplace Works is a brownfield site that is located in the Greenbelt in both the adopted East Renfrewshire Local Plan and the proposed Local Development Plan (LDP). The field to the north of the Works where the access road is to be constructed is in the Greenbelt in both Plans.

Policy Strat2 of the adopted Local Plan (and Strategic Policy 2 of the proposed LDP) indicates a number of strategic considerations that will be applied to development proposals including: the proven need for the development; resulting community and economic benefits; impact on communities and existing land use; and impact on the built and natural environment.

Policy Strat2 indicates the Council will adopt a sequential approach in the assessment of all development proposals with preference given to urban locations. Policies E2 and DM3 seek to protect the Green Belt from inappropriate development. Policy DM1 is also applicable and, amongst others, seeks to ensure that any proposal does not result in a significant loss of character or amenity on the surrounding area, is appropriately landscaped, and complies with roads standards.

The sequential approach helps identify the most suitable sites, in planning terms, to release new development with priority given to brownfield sites within the urban area before other sites within the urban area well served by public transport ahead of sites in the Green Belt adjacent to the urban area. It also requires consideration to be given to accessibility to facilities.

Policy E2 of the adopted Local Plan presumes against development within the Greenbelt except in relation to uses listed in Policy DM3. Policy DM3 indicates that sympathetic consideration will be given

to development proposals related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area providing the functions of the Greenbelt can be maintained and the viability of important agricultural land and units is not prejudiced.

Although Netherplace Works is located in the Greenbelt, it is specifically covered by Proposal B5.7 of the adopted Local Plan which indicates the Council will support industrial and business development at this location.

Policy D3 of the proposed Local Development Plan (LDP) is similar to Policy E2 of the adopted Local Plan. Policy D4 of the proposed LDP also identifies the application site as part of the Green Network which the Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Network.

The development is covered by the Council's affordable housing and development contributions policies. The developer has agreed to pay contributions for affordable housing (which is the equivalent of 25% on-site provision for the 299 residential apartments) and development contributions. The agreed development contributions are to be used towards community facilities (community halls and libraries), parks and open space, and green network and paths. Both the affordable housing and development contributions shall be secured through legal agreements.

Netherplace Works is specifically covered by Policy SG6 of the proposed LDP in which the Council seeks to safeguard business and employment areas and will take a flexible approach to sustainable economic growth to meet the development needs of established and emerging employment sectors. Proposals for non-employment generating development including housing on safeguarded business and employment areas (such as this) will not be supported except where there is no current or likely future demand for employment uses on the land; it can be demonstrated that the site is not reasonably capable of being used or redeveloped for employment purposes or; development would bring wider economic, environmental, community or amenity benefits.

In addition the site is located within the wider area covered by Policy M2 of the proposed LDP that relates to the M77 Strategic Development Opportunity. This Policy spans Junctions 4 and 5 of the M77, taking in the urban edges of Barrhead and Newton Mearns. Within this overall master planned area two separate areas are identified to be master planned under Policies M2.1 and M2.2. These proposals are viewed as complementary and will provide cross benefits. A number of other individual housing, business and transport proposals also fall under Policy M2 and will also contribute to the overall strategic approach to the wider M77 area. This site is allocated for employment development under Policy SG6 and will contribute to the wider aims and objectives of the M77 area.

In terms of the sequential approach to development indicated above the proposed development does not fully accord with policy as it is not a brownfield site in the urban area. However the site is considered to be a brownfield site albeit in the Green Belt and this is preferable to the development of a greenfield site.

The information accompanying the application (referring to Policy Strat2 of the adopted Local Plan) is that no alternative locations have been identified by the developer in the area that would provide a feasible and deliverable development in the form proposed. In order to understand fully why Netherplace Works has been chosen for the proposed development the applicant was requested to provide further information on the specific locations of the alternative sites and the reasons why they were discounted.

In response to this request the applicant indicated that the nature of the development requires a number of specific locational and practical factors to be satisfied with a site being accessible, available and affordable. The high cost of existing sites allocated for housing development mean that they are uneconomic/unviable. The applicant has indicated there are no other known sites in the area that would, in their opinion, benefit from the development to the same extent as the application site by removing industrial scarring of the Green Belt and the re-use of a redundant brownfield site.

As indicated above the proposed development is a departure from the development plan as it is not to be retained as business/industrial purposes and it is not one of the types of development specified in Policy DM3 of the adopted Local Plan. As a consequence it has to be decided what the material considerations are that would allow this development and what weight is to be given to these considerations.

The proposed Local Development Plan (LDP) is the Council's updated policy position. As indicated above Policy SG6 of the proposed LDP indicates the Council will support a flexible approach to



sustainable economic growth to meet the development needs of established and emerging employment sectors. Netherplace Works (Schedule 14 SG6.13) is one of the areas to be safeguarded for business and employment. There is an element of flexibility within this Policy and it has to be considered how the development accords with the following criteria:

- there is no current or likely future demand for employment uses on the land;
- it can be demonstrated that the site is not reasonably capable of being used or redeveloped for employment purposes; and
- development would bring wider economic, environmental, community or amenity benefits.

A representation was submitted to the proposed LDP by the developer to identify Netherplace Works as a business proposal suitable for redevelopment as a care home, retirement village and associated facilities as well as a brownfield opportunity site again suitable for re-use as a care home, retirement village and associated facilities. In the proposed LDP Examination Report the appointed Reporter has stated that the M77 acts as an obvious and defensible greenbelt boundary and to designate Netherplace Works as an enclave of non-greenbelt land would be somewhat incongruous and undermine the wider protective concept of the greenbelt. The Reporter goes on to state that examples of businesses operating from premises within the greenbelt are inevitable and this is acknowledged in Scottish Planning Policy. The Reporter also indicates that Scottish Planning Policy states that an example of development appropriate within a greenbelt includes the intensification of established uses subject to new development being of a suitable scale and form. The Reporter notes this is the approach adopted by the Council in designating the site under SG6.13 in Schedule 12, Safeguarded Business and Employment Areas, and SG6.22 in Schedule 13 under Business Proposals in the proposed LDP. On this basis the re-designation of the site has not been supported by the proposed LDP Examination Report. In addition Policy SG6 has not been re-worded by the Reporter either.

The Council's Acting Economic and Regeneration Manager has been consulted on the application. At the peak of its operation Netherplace Works employed close to 300 staff and in the past the intensification of industrial and/or business uses at Netherplace Works has always faltered due to the prohibitive cost of creating a suitable road access. The proposals have never stacked up for an operator or developer because of the lower land values for industrial uses. The Council's Acting Economic and Regeneration Manager is of the opinion that the site is unlikely to be used for more "traditional" industry.

Although the site is not recommended to be re-designated in the proposed LDP Examination Report the proposed development can still be assessed against the relevant policies of the adopted Local Plan and proposed LDP as well as any material planning considerations.

The consultation response from the Council's Acting Economic and Regeneration Manager is a material consideration in determining this application. Based on this consultation response it is considered that the first two criteria in Policy SG6 have been met. In terms of the benefits of the development it is acknowledged that there will be employment created by the care home and other services that are to be provided on site. It has been indicated that once fully operational it is expected that the development will directly employ 163 people of which 80 are to be care home staff. This would accord with aspects of Scottish Planning Policy as there would be some economic benefit through job creation at a greater level than exists at the site at present.

In terms of the third criteria there would also be some visual amenity benefits by removing the existing industrial buildings that have little architectural merit and returning a brownfield site to beneficial use.

#### Visual impact of the re-development

The proposed development will result in change at this location because of the complete redevelopment of the site as well as the construction of the new access road through the field. Netherplace Works is located in undulating farmland and is located in a dip in the landscape where it sits adjacent to the M77. The undulating landscaping provides topographic screening from the public roads in the vicinity of the site and on various approaches to the site. It is the existing tall chimney that draws attention to the presence of the works from certain viewpoints including on the approaches to the site along the M77. On the approach to the site along Netherplace Road the presence of the existing buildings is more evident as a result of the proximity of any viewer to the site. The existing buildings are also more evident when viewed from Stewarton Road in the area to the south west of the site. This is a result of Stewarton Road being elevated above the site with views afforded across generally open farmland. However from this viewpoint the existing Newton Mearns area forms a backdrop to the site.

On The M77 the existing buildings are most evident in close proximity to the site and are particularly prominent when parallel to the site primarily as a result of the motorway being elevated above the site. The existing trees/vegetation and intervening topography combined with the meandering route of the M77 assist in screening the existing buildings from more distant viewpoints on the motorway.

The existing buildings on site vary in height with the tallest buildings ranging from approximately 8m to 13m high. The proposed buildings also vary in height depending on the number of storeys. The tallest building is the Village Centre which is approximately 16m high across the majority of its design although there is an upward projection that is approximately 23m high. The care home is to be two storeys and approximately 8.4m high. The residential blocks vary from two storeys to three and four storeys and range in height at their lowest from approximately 8.4m high to the highest at approximately 16m high. Although the proposed development involves constructing blocks more towards the boundaries of the site than the existing buildings there is still a reasonable separation distance of close to 50m to the existing houses that are outwith the site.

A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application that considers the visual impact of the development within a radius of 5km from the site. The site is in a low to medium landscape character. Twenty six viewpoints have been included in the Assessment the majority of which are in close proximity to the site. The Zone of Theoretical Visibility (ZTV) of the development is mainly in the areas to the north, north-east and south-west of the site and in the immediate vicinity of the site. The Zone of Theoretical Visibility of the highest building in the proposed development is again mainly in the areas to the north, north-east and south-west of the site and in the immediate vicinity of the site. The extent of The ZTV for the highest building is of course over a larger area.

The LVIA indicates that there will be limited impacts on the landscape character with impacts on the selected viewpoints ranging from no impact/negligible through to high depending on the viewpoint in question. The highest impact is indicated as being on the viewpoints closest to the site and this is no different to any other development when viewed close to the site. The resultant change in visual impact at the site will largely be most evident in close proximity to the site because of the complete removal of the existing buildings and tall chimney. From further afield the visual impact of this change is not considered to be significant.

There will also be a visual impact associated with the new access road through the field to the north. The greatest impact will be at the point of access onto Aurs Road. The majority of the access road will not be readily visible from outwith the site because it is to be constructed at the lowest part of the field and there will be topographic screening provided by existing contours and vegetation along the edge of the M77.

It is therefore considered on balance that the visual impact of the redevelopment in itself is acceptable at this location.

The proposed acoustic barrier/fence will also have a visual impact primarily because of its proximity to the M77. However the visual impact would be seen in sequence from vehicles travelling in both directions along the motorway and not in static positions. From further afield on the approaches to the site along the M77 existing vegetation and topography assists in lessening the overall visual impact of this fence.

The most visually prominent part of the proposed barrier/fence will be where it sits immediately adjacent to the M77 towards the south-east part of the site. There would be concern if the proposed barrier/fence was a standard fence or wall without any mitigation. As indicated earlier in this assessment it is intended to incorporate planting on and in front of the barrier/fence. It is considered that this will assist in lessening the visual impact of it in order to present a more naturalistic boundary feature. Should the development be approved a planning condition can be attached to require the submission of the specific details of the barrier/fence as well as the associated planting.

It is therefore considered on balance that the proposed acoustic barrier/fence is acceptable in visual terms at this location.

## Representations

In terms of the representations that have been received the following comments are made.

Ground conditions/structural problems: A site investigation report has been submitted with the application and scrutinised by consultees. No major issues have arisen regarding the condition of the

site in terms of the proposed end use from the information provided. However further investigative work will have to be carried out when the existing buildings are demolished to describe the full conditions on site. Given the expense involved in demolishing all the buildings on site asking for this information before the application is determined is considered to be unreasonable. The additional investigation can be addressed by a planning condition should planning permission be approved. Should there be any structural problems at the site this will be a matter that the developer will have to address separately and design accordingly. This will be handled in a separate building warrant application(s).

Concentration of retired people at one location: It is acknowledged that the development would result in residential development for retired people. However the development is not solely residential apartments and is intended to have a range of services and facilities at the site. In addition there is intended to be a mini-bus service for residents and staff to transport them to other facilities outwith the site. Should the application be approved a planning condition can be attached to require the submission of a Green Travel Plan.

Access road location not owned by applicant/no servitude rights for proposed use/applicant does not own land: This is not a material planning consideration as the developer will have to negotiate with the land owners to access or purchase the land. This is a private matter between the parties involved. The applicant served the requisite Notice to Owners when the planning application was submitted and this complies with planning legislation. Should the developer not be able to construct the new access road across the field the development will not be able to proceed or an amended planning application for an alternative means of access would have to be submitted for consideration.

Netherplace Road not suitable for construction traffic: Although the submitted phasing plan indicates that construction traffic is to use Netherplace Road it is intended that should planning permission be approved a condition can be attached to require the specific phasing of the development to be submitted for approval and this condition can include details of the access route to be approved as well. In addition details of construction traffic (route and expected numbers/duration) should be submitted by means of a Traffic Management Plan to be agreed and signed off separately by the Council's Roads Service.

Out of scale/character with existing Netherplace properties: It is acknowledged that the proposed buildings are larger than the nearby residential properties. However the existing buildings on site are larger than the nearby properties and the visual impact and the relationship to the neighbouring properties has been assessed in detail in the report.

Development not near local services or shops/bus routes: The development is located just beyond the existing built up area of Newton Mearns and there are services within reasonable travel distances at Mearns Cross and at Greenlaw (1.85km and 1.35km away respectively). In addition the proposed development is intended to have a range of services and facilities as an integral part of the development.

Contrary to development plan: It is acknowledged that the proposed development is contrary to parts of the development plan and it complies with other parts of the development plan however this fact in itself does not make the development unacceptable. An assessment against relevant policies and material considerations has been made above.

Not integrated: It is acknowledged that this development involves a particular type of residential development that is outwith the existing urban area and is to have services and facilities directly catering for the residents of the development. Ideally the development should occur in a brownfield site in the urban area where it would have the opportunity for integration with its surroundings however there are limited brownfield sites available in the Eastwood side of East Renfrewshire. It is intended that a mini-bus service be provided for both residents and staff and the details of this can be secured through a planning condition if the development is approved.

Noise/light pollution from access road: It is not considered that this will be a significant issue particularly as the M77 bounds the site and the location of the access road in relation to the neighbouring houses.

Leave unsuitable/unusable agricultural ground: The proposed access road results in the loss of part of the east side of the field however it does not result in the complete loss of the field nor does it sever the field into two separate parts. In addition the developer will have to negotiate with the land owners to access or purchase the field and this is a private matter between the parties involved.

Will put pressure on medical and other services: It is not considered that the number of residents generated by the development will be significant when compared to the existing population of Newton

Mearns and East Renfrewshire as a whole. The development is to provide a range of care and other services direct to its residents. The development is subject to the Council's Development Contributions Policy and the developer has agreed to pay financial contributions that are directly attributable to the development in relation to community facilities (community halls and libraries), parks and open space, and green network and paths.

Affect wildlife through reduction in size of pond: Scottish Natural Heritage has been consulted on the application and has not objected to it.

Precedent for future development in greenbelt: It is not considered that this development will set a precedent for decisions on future planning applications as the site is a brownfield site previously used as a factory. Should any future applications be submitted for development elsewhere in the greenbelt the applications will be assessed against the relevant development plan policies and material planning considerations at that time.

Loss of privacy: The proposed development is located to the east and north-east of the existing houses at this location. The proposed buildings at the west part of the site closest to the existing houses are to be two storeys high. The closest houses to the development are Netherplace Farm Cottage (approximately 46m from Block A) and Netherplace House (approximately 50m from Block D). Netherplace Farm Cottage is positioned at an angle and offset from Block A and as a consequence it is not considered that there would be significant overlooking or loss of privacy to this property. It is also not considered that there would be significant overlooking of Netherplace House through a combination of separation distances, storey heights and planting/vegetation.

Risk of Flooding: A Flood Risk Assessment has been submitted with the application and scrutinised by consultees. None of the consultees has raised any objections to the development on the grounds of flooding and conditions have been recommended for specific details/structures to be submitted for further consideration prior to work starting on site.

## Conclusion

It is acknowledged that this site is in the Green Belt, albeit it is considered to be a brownfield site, and the proposal is a departure from the adopted East Renfrewshire Council Local Plan being land not specifically identified for residential development or a care home. It is also recognised that the proposal represents change at this location both in terms of land use and arrangement of buildings at the site.

Having considered the proposal against Scottish Planning Policy and the relevant policies of the development plan it is considered that it accords with some policies while not according with others. The development involves the re-development of a brownfield site that accords with the general thrust of policies in terms of developing such sites before greenfield sites. However it is not a site that has been identified for potential residential development in the adopted and proposed Local Plans.

The proposed LDP Examination Report is also a significant material consideration in determining this application. As indicated earlier in this assessment it has been recommended by the Reporter that Netherplace Works is not re-designated as a development opportunity site and should remain in the greenbelt. Although the site is not specifically to be re-designated in the proposed LDP this does not mean that the proposed development cannot be assessed against the relevant development plan policies and material planning considerations.

In considering whether this is an acceptable location for the proposed development it is also considered that there is no realistic prospect of business/industrial use re-occurring at the site in the foreseeable future and this is a material consideration in determining this application.

The fact that there is an aging population is also a material consideration in determining this application. This development involves a new type of residential development in East Renfrewshire which is specifically for people of retirement age whereas the majority of mainstream housing proposed in East Renfrewshire is family homes. Although there are to be on-site facilities/services for the residents of the development there are some concerns regarding the site not being either within or immediately adjacent to the existing built-up area of Newton Mearns. Ideally this development should be within the existing built up area which would mean that its residents would be closer to services and facilities and to sustainable modes of transport.

The decision on this application is not considered to set a precedent for mainstream housing at the site or within the Greenbelt in general. Such applications will have to be justified against the relevant development plan policies and material planning considerations at that time particularly in the light of

the proposed Local Development Plan Examination Report that examined the proposed housing land supply and did not recommend the release of additional greenfield/greenbelt sites for housing development. The development will have associated job creation as well as the re-use of a derelict site. Scottish Planning Policy indicates that decisions on planning applications should give due weight to net economic benefit. The jobs to be generated by the proposal are considered to be a positive aspect of the development.

When considering all of the matters relevant to this application and balancing the proposal against the development plan and material planning considerations it is considered that this development is acceptable at this location.

**RECOMMENDATION:** Disposed to grant subject to conditions and the conclusion of a legal agreement(s) relating to affordable housing contributions and developer contributions.

**PLANNING OBLIGATIONS:** Legal agreement(s) relating to affordable housing contributions; developer contributions towards community facilities (community halls and libraries), parks and open space, and green network and paths and; restriction on the occupancy of the apartments to people aged 55 and over.

### **CONDITIONS:**

1. Development shall not commence until details of the phasing of the development have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be implemented in accordance with the approved phasing scheme.

Reason: In order to ensure a properly programmed development.

2. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). 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 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 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 Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

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

Reason: In the interests of sustainable development.

## 16

6. 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 Head of Environment (Planning, Property and Regeneration), after consultation with Transport Scotland. Thereafter the lighting shall be 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 as well as ensuring that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

7. 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 otherwise agreed in advance in writing by the Head of Environment (Property, Planning and Regeneration).

Reason: To prevent noise nuisance to the surrounding area.

8. Development shall not commence until details of the design, materials and appearance of the acoustic barrier/fence to be constructed along the boundary of the site and the M77 have been submitted for the approval in writing by the Head of Environment (Planning, Property and Regeneration). The submitted details shall include the proposed planting to be incorporated on and adjacent to the barrier/fence. Thereafter the agreed acoustic barrier/fence shall be fully implemented on site prior to the occupation of any of the development hereby approved and retained in position.

Reason: To ensure the appearance of the acoustic barrier/fence is acceptable in appearance and that noise disturbance does not occur to residents of the development.

9. For the avoidance of doubt there shall be no drainage connections to the trunk road drainage system.

Reason: To ensure the efficiency of the existing drainage network is not affected and that the standard of construction is commensurate with that required within the road boundary.

10. Development shall not commence until details of the frontage treatment along the trunk road boundary has been submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration) in consultation with Transport Scotland.

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

11. Development shall not commence until a barrier/fence of a type approved by the Head of Environment (Planning, Property and Regeneration), in consultation with Transport Scotland, has been provided and maintained along the proposed boundary of the site with the trunk road.

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

12. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Head of Environment (Planning, Property and Regeneration), during development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by the West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to the Head of Environment (Planning, Property and Regeneration) and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: In order to protect any archaeological remains and to allow the Head of Environment (Planning, Property and Regeneration) to consider this matter in detail.

13. Development shall not commence until full details of soft and water landscaping works have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration) in consultation with Glasgow Airport. Details must comply with Advice Note 3 "Potential Bird Hazards from Amenity Landscaping - Building Design" (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)). These details shall include:

the species, number and spacing of trees and shrubs;  
details of any water features;  
drainage details including SUDS - Such schemes must comply with Advice Note 6 "Potential Bird Hazards from Sustainable Urban Drainage Schemes" (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)).

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration) in consultation with Glasgow Airport. The scheme shall be implemented as approved.

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

14. The visibility splays of 4.5m x 110m x 1.05m in the primary direction and 8.5m x 120m x 1.05m in the secondary direction, as shown on drawing 102350/1001, must be maintained in perpetuity with nothing above a height of 1.05m erected within the splays.

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

15. Development shall not commence until a Green Travel Plan for the site has been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). The Green Travel Plan shall consider walking, cycling and public transport access to the development for all users of 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 the occupation of any part of the development hereby approved.

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

16. Development shall not commence until full details of the regular mini bus service for staff and residents to travel to and from the development and key areas in the locality (as referred to in the Design and Access Statement) has been submitted and approved by the Head of Environment (Planning, Property and Regeneration). The details to be submitted shall include when the service is to be introduced, the frequency of service, the intended routes and destinations, etc.

Reason: To ensure access to the site is by transport modes other than the private car and to establish travel patterns from the outset of the development.

17. Development shall not commence until a Construction Environmental Management Plan (CEMP) is submitted for the approval in writing by the Head of Environment (Planning, Property and Regeneration) in consultation with SEPA. The CEMP shall contain details of the mitigation measures that will be in place to protect the water environment from the pollutants typically associated with large scale construction works. The CEMP shall be submitted for approval at least 6 weeks before work commences on site. Following written approval the agreed mitigation measures of the CEMP shall be fully implemented on site.

Reason: To ensure that the water environment is not detrimentally impacted by works on site.

18. Development shall not commence until details of the proposed bridging structure within the site (to be located in the vicinity of Blocks K and M) have been submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration) in consultation with SEPA. Thereafter the bridging structure shall be implemented as approved.

Reason: To ensure that the bridging structure proposals are acceptable at this location and comply with the principles of Scottish Planning Policy.

19. Development shall not commence until details of the proposed closure of the existing access into the site from Netherplace Road as well as the proposed emergency access in this position have been submitted for the approval in writing by the Head of Environment (Planning, Property and Regeneration). The details shall be submitted on plans at a scale of 1:100. Thereafter the agreed details shall be fully implemented on site.

Reason: To ensure that the closure and access details are acceptable at this location.

20. Noise from any plant or equipment associated with the proposed development should not exceed Noise Rating Curve 25, (described in BS 8233 1999), as measured from any neighbouring property.

Reason: In order to avoid noise disturbance.

21. Following demolition of the existing buildings on site further site investigations and risk assessments shall be carried out across all areas of the site (including the current location of the gas main, the location of the buildings and hard-standing and the previously undeveloped areas) to fully characterise the ground conditions or any impact on the water environment at the site. Demolitions shall not commence until the scope of the site investigation and associated risk assessments have been submitted for the approval in writing by the Head of Environment (Planning, Property and Regeneration).

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

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

The risk posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate, recommendations for further investigations or remediation options to reduce the risks identified.

A site-specific risk assessment must be undertaken. Should any significant pollutant linkages be identified, a detailed remediation strategy must be developed. No works other than investigative works shall be carried out on site prior to receipt of the written acceptance of the remediation plan by the Head of Environment (Planning, Property and Regeneration).

Thereafter remediation of the site shall be carried out in accordance with the accepted remediation plan prior to the proposed development being brought into use. Any amendments to the accepted remediation plan shall not be implemented unless approved in writing by the Head of Environment (Planning, Property and Regeneration). On completion of the remediation works, the developer shall submit a completion report to the Head of Environment (Planning, Property and Regeneration), confirming that the works have been carried out in accordance with the accepted remediation plan and that the works have successfully reduced these risks to acceptable levels.

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

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

Reason: In the interests of public health and to protect users of the development



and the wider environment from the effects of contamination.

## 19

23. Any site clearance works shall be undertaken outwith the bird breeding season of March to mid-August inclusive. Where this is not operationally possible, all such works should be preceded by a survey by a suitably qualified ecologist to establish whether nests are present and the survey results submitted for the approval of the Head of Environment (Planning, Property and Regeneration) in consultation with Scottish Natural Heritage. If breeding birds are found steps must be taken to avoid an offence under the Nature Conservation (Scotland) Act 2004.

Reason: To avoid disturbance to breeding birds.

24. Development shall not commence until a site waste management plan has been submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). The plan shall provide for the re-use on site of waste material arising from demolition and construction of the development. The agreed site waste management plan shall thereafter be fully implemented.

Reason: To ensure that as much as possible of site demolition and construction waste is re-used as part of the development and to reduce the amount of material that has to be deposited at land-fill.

25. Development shall not commence until specific details of the proposed changes to the existing reservoir and proposed embankments of the new feature pond have been submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the agreed details shall be fully implemented on site.

Reason: To ensure that the resultant changes to the reservoir are acceptable in appearance and do not result in flooding to occur.

### ADDITIONAL NOTES:

The applicant is reminded that a separate Construction Consent (S21) and Road Bond (S17) are required under the Roads (Scotland) Act 1984.

Details of SEPA's regulatory requirements and good practice advice for the applicant can be found at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the Renfrew & Inverclyde operations team in the SEPA office at:

SEPA ASB  
6 Parklands Avenue  
Eurocentral  
Holytown  
North Lanarkshire  
ML1 4WQ

The applicant or developer will need to secure the services of a professional archaeological contractor to undertake the watching brief. An informal list of such contractors is available at [www.wosas.net](http://www.wosas.net) for the developer's use in securing the required works.

Licences from SNH will be required to address the presence of otter and bat to progress development at the site. Further information on licensing tests and how to apply for a EPS licence can be found at: [www.snh.gov.uk/docs/B876258.pdf](http://www.snh.gov.uk/docs/B876258.pdf) and <http://www.snh.gov.uk/protecting-scotlands-nature/species-licensing/european-species-licensing/>

The applicant is advised that engineering works proposed in the vicinity of the water environment, including the existing reservoir, may require to be authorised by SEPA as per the terms of The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended).

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) **20**

The applicant is advised to contact Scottish Water, Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, prior to commencing any works on site.

**ADDED VALUE:**

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

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.: 2014/0372/TP  
(SEMC)

DATE: 18th February 2015

**DIRECTOR OF ENVIRONMENT**

**DEVELOPMENT PLAN:****Strategic Development Plan**

Strategy Support Measure 10 indicates that Local Authorities should continue to audit their housing land supply in light of prevailing market conditions and other changing circumstances, with a view to maintaining a five years effective housing land supply across all tenures throughout the period to 2020. Where the supply needs to be augmented, priority should be given to bringing forward for earlier development any sites which have been allocated in the LDP for construction in the period 2020 to 2025. The SDP indicates that if further sites are needed, their identification should be guided by criteria to find the most suitable locations; that there are no insurmountable infrastructure constraints or funding; the site is of a scale capable of being completed in the next five years; the vision and planning principles of the SDP and LDP.

**East Renfrewshire Local Plan (Adopted 14th February 2011)**

## Policy Strat2

## Assessment of Development Proposals

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

1. A proven need for the development.
2. The consideration of alternative locations, forms and layout of development.
3. Resulting community and economic benefits.
4. The impact on communities, individual properties and existing land uses.
5. The impact on existing and planned infrastructure.
6. The transport impact of the development, taking into account the need for a Transport Assessment and the scope for Green Transport Plans.
7. The impact on the built and natural environment, including local greenspace, the wider greenspace network, and the Green Belt, taking into account the need for Environmental Impact Assessment.
8. The impact on air, soil and water quality.
9. The potential for remedial or compensatory environmental measures.
10. The contribution to energy reduction and sustainable development.
11. The impact on health and well being.
12. The cumulative impact of the development.
13. The impact of proposals on other proposals set out in the Local Plan.
14. The suitability of proposals when assessed against any approved Supplementary Planning guidance.

Other strategic considerations to be taken into account are as follows:

## Sequential Approach

The Council will adopt a sequential approach in the assessment of all development proposals with preference being given to urban locations and in particular brownfield sites. Preference will also be given to sustainable locations (town and neighbourhood centres and other sites within the urban area well-served by public transport, walking and cycling). Where this is not possible, the Council will entertain other sites within the urban area. In all cases, the proposal should not prejudice other Local Plan policies and proposals. Locations within the Green Belt will only be considered where it has been clearly demonstrated that a suitable site does not exist within the urban area. The onus will be on the prospective developer to prove to the Council that the first or second preferences cannot be met.

## Precautionary Principle

The Council will apply the precautionary principle, which states a general presumption against development that is judged to pose a significant risk of serious or irreversible environmental damage or adverse impact on public safety. However, if measures can be taken by the developer to minimise this potential threat to levels acceptable to the Council, then planning permission may be granted, subject to appropriate conditions.

## Developer Contributions

The Council wishes to secure community, infrastructure and environmental benefits arising from new development to offset their environmental or social costs. Where a proposed development would create new or exacerbate existing deficiencies in local physical or community infrastructure, facilities or

the environment, the Council will seek contributions from developers to assist in making good the deficiencies. The Council will also encourage “percentage for art” contributions from developers to fund public artwork in appropriate developments. Developers will be expected to assist in developing local work skills and employability in line with the Scottish Governments initiatives in relation to securing “Community Benefits in Procurement” and “Linking Opportunity and Need”. It is the Council’s intention to produce Supplementary Planning Guidance on the matter of Developer Contributions.

#### Affordable Housing

The Council will give favourable consideration to proposals for affordable housing on greenfield sites or in the green belt provided that:

- \* the development is small scale and respects the setting, form and character of any adjacent urban area and the surrounding landscape;
- \* the proposal is for 100% affordable housing and would meet a local need as identified through the Local Housing Strategy;
- \* it would comply with the terms of the Council’s SPPG on Affordable Housing and Policy H3 Affordable Housing;
- \* in the case of green belt sites it is located adjacent to the urban area; and
- \* it is of a scale and nature appropriate to its location and to the objective of achieving a mixed and balanced community.

Other housing proposals (for less than 100% affordable housing) to meet an identified deficiency in the land supply fall to be assessed against this policy and proposed supplementary planning policy guidance (as set out under proposal H1).

Where acceptable in principle, development proposals also require to meet the general planning principles set out in Policies DM1, DM2, DM3 and DM4.

#### Policy E2

##### Green Belt and Countryside Around Towns (CAT)

There will be a strong presumption against inappropriate development including changes of use, in the Green Belt and Countryside Around Towns (CAT), as identified on the Proposals Map. Development proposals will be assessed against Policies Strat2, "Assessment of Development Proposals" and DM3, "Green Belt and Countryside (CAT)"

#### Proposal B5

##### Business Proposals

The Council will support industrial and business development at the locations listed below in Schedule B5 and identified on the Proposals Map. The proposals will require to comply with Policies Strat2 - "Local Plan Strategy" and Policy DM1 - "Detailed Guidance for all Development".

##### Schedule B5

Ref	Location	Use Class Permitted
B5.7	Newton Mearns Netherplace Works	4, 5 and 6

#### Policy H3

##### Affordable Housing

Throughout East Renfrewshire, where Planning Permission is sought for residential developments of 4 or more dwellings, the Council will require provision to be made for a minimum 25% Affordable Housing contribution. The requirements of this policy will apply to proposals for conversion of buildings to residential use.

This policy does not apply to sites with extant detailed Planning Permission for residential development granted before the approval of the Council’s 2006 Supplementary Planning Policy Guidance (SPPG) on Affordable Housing. Furthermore, this policy will not apply in situations where an extant Planning Permission for residential development is renewed or revised, provided that the renewal or revision is not for an increased number of units. Where an increase in numbers is proposed this policy will apply to the difference in number of units applied for. The requirements of this policy will apply in full in circumstances where a Planning Permission granted prior to 19th January 2006, has lapsed.

The Council favours on-site provision whereby serviced and accessible land within a housing development, capable of accommodating a minimum of 25% affordable dwellings, is transferred or sold to the Council or a RSL for development, or where the developer provides a minimum 25% affordable dwellings on-site. Off-site provision, whereby suitable land capable of accommodating a minimum 25%

affordable dwellings in the same Housing Market Area is transferred to the Council or a RSL or where the developer provides a minimum 25% affordable dwellings on that site, will only be acceptable in exceptional circumstances. The onus will be on the developer to justify the omission of on-site provision and to guarantee the delivery of off-site provision within a timescale agreed with the Council. The payment of a commuted sum in lieu of site provision will only be acceptable in very exceptional circumstances where it can be justified to the Council's satisfaction that neither on-site nor off-site provision can be delivered. All Affordable Housing Contributions will be valued in accordance with PAN 2/2010 "Affordable Housing and Housing Land Audits".

The Council considers that affordable housing should remain affordable as long as there is an identified housing need.

The following types of affordable housing are supported by the council:

1. Social rented housing
2. Shared equity/shared ownership housing
3. Discounted low cost housing
4. Housing without subsidy
5. Private below market rent housing

Whilst these are listed in order of the council's priority preference, provision should be tailored to local circumstances as informed by the local housing strategy.

A reduced contribution or alternative to on site provision will only be considered favourably where the policy requirement is demonstrated to threaten the viability of the development due to:

- (i) the small scale of the proposal (where less than 20 houses) or
- (ii) exceptional development costs resulting from unusual site constraints such as decontamination, reclamation requirements or access difficulties.

Exemptions to the requirement for a minimum 25% Affordable Housing may be acceptable where higher components of owner occupied housing may be required to:

- \* improve tenure choice; or
- \* facilitate the regeneration of Barrhead.

All proposals will require to comply with Policy DM1 - "Detailed Guidance for all Development" Policy Strat2 - "Assessment of Development Proposals", and the open space standards for residential development referred to in Policy L4 - "Open Space Provision in New Developments", expanded upon in Appendix 1.

More detailed information and guidance is provided in the Council's Supplementary Planning Policy Guidance (SPPG) on Affordable Housing (March 2006) and any replacement Supplementary Planning Guidance.

#### Policy DM1

##### Detailed Guidance for all Development

Where the principle of development is deemed to be acceptable in terms of the other Policies contained within this

Local Plan, proposals for development will require to conform to the appropriate criteria below:

1. Not result in a significant loss of character or amenity to the surrounding area.
2. Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials.
3. Not constitute backland development without a road frontage.
4. Not impact adversely on the landscape character, involve a significant loss of trees or other Important landscape, greenspace or biodiversity features (see Policies E3 - "Protection of Natural Features", E6 - "Biodiversity" L1 - "Protection of Important Urban Greenspace", and L2- "Safeguarding the Local Greenspace Resource".
5. Ensure that landscaping is an integral element in layout design, taking account of existing physical features (e.g. trees, hedgerows, walls, etc.). Where appropriate, tree planting should augment the amenity and appearance of the site.
6. Ensure that the standards for 'Open Space' are satisfied see Policy L4 - "Open Space Provision in New Developments" and Appendix 1).
7. Meet the parking and access requirements of the Council and provide Appropriate

mitigation to minimise the impact of new development (see Policies T3 - "New Transport Infrastructure" and T5 - "Other Traffic Management and Calming Measures").

8. Not prejudice the amenity of neighbouring properties by unreasonably restricting sunlight or privacy.
9. Seek to create safe and secure environments and reduce the scope for anti-social behaviour and fear of crime.
10. Be designed to meet disability needs and include provision for disabled access within public areas.
11. Minimise the extent of light pollution caused by street and communal lighting and any flood lighting forming part of, or associated with, development.
12. Be designed to include provision for the recycling, storage, Collection and composting of waste materials.
13. Be designed to retain on-site, for use as part of the development, as much as possible of all waste material arising from construction of the development.
14. Be designed where applicable to take into account the legacy of former mining activity.

#### Policy T1

##### Sustainable Transportation

The Council seeks to direct new developments to locations which promote a choice between transport modes to reduce the overall need to travel and reliance on the private car. A transport assessment may be required to determine the traffic impact of new development proposals and where appropriate, a Green Travel Plan may also be sought.

#### Policy E9

##### Flooding

The Council will support proposals that will reduce the likely incidence of flooding and will resist new development where it would be at significant risk from flooding and/or could significantly increase the risk of flooding elsewhere.

There will be a presumption against development within functional flood plains and water attenuation areas that help to reduce the incidence of flooding elsewhere. In this respect, the Council will resist development within areas at risk from flooding in accordance with the "Risk Framework" contained in the consolidated Scottish Planning Policy.

Exceptions to this policy may be allowed for infrastructure developments where it is demonstrated either that a specific location is essential for operational reasons or that the development cannot be located elsewhere. In such cases, the development must be designed to remain operational in times of flood and not impede water flow, and the effect on the flood water storage capacity must be kept to a minimum.

#### Policy E10

##### Surface Water Drainage and Water Quality

Sustainable Urban Drainage Systems (SUDS) will require to be incorporated into all new development proposals, with the exception of smaller scale proposals (such as applications for single houses, householder or shop frontage alterations) to moderate surface water run-off from the site and to mitigate any impacts on water quality. The Council will encourage proposals to adopt an ecological approach to surface water management through habitat creation or enhancement by, for example, forming wetlands or ponds and opening up culverted watercourses. There will be a general presumption against the culverting of watercourses as part of new development, unless there is no practical alternative. Wherever possible and appropriate, the Council will encourage the re-opening of existing culverted watercourses. Culverts may be acceptable as part of a grant aided flood prevention scheme or where they are necessary to carry water under a road or railway.

Developers will require to demonstrate that the overall surface water drainage provision will not add to flood risk on-site or off-site and that the works will accord with the requirements of The Water Environment (controlled activities)(Scotland) Regulations 2005 (commonly known as CAR).

#### Policy L4

##### Open Space Provision in New Developments

All new development should incorporate or have satisfactory access to appropriate open space and landscaping and may also be required to include other leisure and recreation facilities appropriate to the scale and nature of the proposal. (Guidance on the provision of open space in new development is detailed in Appendix 1).

#### Policy DM6

## Airport Safeguarding

The Council supports the requirement to protect 25% safeguarded areas for Glasgow and Prestwick Airports and will consult BAA or NATS as appropriate on proposals in line with Circular 2/2003 to ensure that development proposals do not adversely impact on the safe and efficient operation of the airport. Proposals which interfere with visual and electronic navigational aids of airports and/or increase bird hazard risk will be resisted unless accompanied by appropriate mitigation measures, including a hazard management plan.

## **Proposed Local Development Plan**

The Proposed Local Development Plan (LDP) outlines the Council's most up to date statement of planning policy. The LDP has been examined by the Scottish Government and the Examination Report has been published.

### Strategic Policy 2

#### Assessment of Development Proposals

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

1. Application of a sequential approach which gives priority to the use of brownfield sites within the urban area then to greenfield land within the urban area and finally to land adjacent to the urban area. Sites within the green belt will only be considered where it has been demonstrated that a suitable site does not exist within the urban area;
2. Provision of a mix of house types, sizes and tenures to meet housing needs and accord with the Council's Local Housing Strategy and the Glasgow and Clyde Valley Strategic Housing Need and Demand Assessment;
3. Resulting positive community and economic benefits;
4. The impact on the landscape character as informed by the Glasgow and Clyde Valley Landscape Character Assessment, the character and amenity of communities, individual properties and existing land uses;
5. The impact on existing and planned infrastructure;
6. The impact upon existing community, leisure and educational facilities;
7. The transport impact of the development on both the trunk and local road network, rail network, taking into account the need for a transport assessment and the scope for green transport and travel plans;
8. The impact on the built and natural environment, including the green belt and green network taking into account the need for Environmental Impact Assessment and the requirement for proposals to provide a defensible green belt boundary and links to green network;
9. The impact on air, soil, including peat and water quality;
10. The potential for remedial or compensatory environmental measures including temporary greening;
11. The contribution to energy reduction and sustainable development.
12. The impact on health and well being;
13. The cumulative impact of the development;
14. The impact of proposals on other proposals or designations (including the Town and Neighbourhood Centres in Schedule 14) set out in the Local Development Plan;
15. The suitability of proposals when assessed against any relevant Adopted Supplementary Planning Guidance.

### Policy SG3

#### Phasing of New Housing Development

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

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

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

The Council will support master planned growth at the M77 area as defined on the Proposals Map in accordance with Policy M1 and Policies M2.1 and M2.2. Any future proposals within the master planned areas not specifically identified under these policies will be required to contribute to the overall aims of the individual master plans.

Policy SG6  
Economic Development

The Council will support a flexible approach to sustainable economic growth to meet the development needs of established and emerging employment sectors.

(1) The Council seeks to safeguard business and employment areas listed in Schedule 12. In association with the local business community and other relevant agencies the Council will seek to enhance the quality of existing employment areas.

Proposals for non-employment generating development including housing on the safeguarded business and employment areas will not be supported, except where:

- there is no current or likely future demand for employment uses on the land;
- it can be demonstrated that the site or premises are not reasonably capable of being used or redeveloped for employment purposes; or
- where development would bring wider economic, environmental, community or amenity benefits.

(2) The Council will support the development of employment generating uses at the locations listed in Schedule 13. New employment areas will be a core component of the master plans.

(3) The Council will encourage the relocation of inappropriately sited industrial and business uses to the safeguarded Business / Employment Areas listed in Schedule 12.

(4) New tourism related development will be supported provided they can satisfy the requirements of Strategic Policy 2 and other policies of the Proposed 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, water management, 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 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 ~~27~~ability 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. As much as 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, particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, 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.

#### Policy D3

##### Green Belt and Countryside Around Towns

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

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

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

#### 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 and within the Green Network Supplementary Planning Guidance.

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.

All proposals will require to reflect the guidance contained within Green Network Supplementary Planning Guidance. The provision of the green network will be a core component of any master plan.

#### Policy D7

New development proposals should incorporate a range of green infrastructure including open space provision, multi use access, sustainable urban drainage and landscaping. This infrastructure should not only form an integral part of the proposed scheme but should complement its surrounding environment.

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

Policy D18  
Airport Safeguarding

The Council supports the requirement to protect safeguarded areas for Glasgow and Prestwick Airports and will consult BAA or NATS as appropriate on proposals in line with Circular 2/2003 to ensure that development proposals do not adversely impact on the safe and efficient operation of the airports. Proposals which interfere with visual and electronic navigational aids of airports and/or increase bird hazard risk will be resisted unless accompanied by agreed mitigation measures, including a hazard management plan.

Policy SG1  
Housing Supply

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

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

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

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

Policy SG5  
Affordable Housing

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

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

Policy SG10  
Sustainable Transport Network

The Council will support a sustainable and integrated transport system that supports the economy and meets the development needs of the area through to 2025 and beyond, by facilitating efficient movement of people and goods within the area. Opportunities for improving the walking and cycling network, public transport and the health benefits of proposals will be key components of the master plans.

The Council seeks to direct new developments to locations which promote a choice

between transport modes to reduce the overall need to travel and reliance on the private car.

## 29

Proposals should:

- Ensure the required upgrades to infrastructure resulting from development are provided (Strategic Policy 3);
- Safeguard the existing and proposed transportation infrastructure from development that could prejudice its ability to function. In particular the Glasgow Southern Orbital and M77 will be reserved as transport corridors;
- Ensure new development is designed to prioritise accessibility, safety and sustainable modes of travel through a choice of walking, cycling and public transport and are integrated as part of the green and core path networks (see Policy D4);
- Ensure walking and cycling enhancements by improving community links and utilising and maximising the existing networks;
- Ensure that opportunities to promote walking and cycling along linear routes are not lost, the solums of any former railway lines with such potential will be safeguarded for this purpose;
- Ensure new transport infrastructure is compatible with local environment, amenity and public safety;
- Ensure new development, where appropriate, identifies land capacity and road layouts to provide public transport infrastructure and services; and
- Prioritise improvements to public transport including the need for enhancements to bus and rail infrastructure and services to increase patronage within the area.

Major proposals require to be accompanied by transport assessments and/or travel plans to assess impact upon the road and rail network and on public transport.

The Council will support the implementation of the key infrastructure projects listed in Schedule 17.

### Policy E4

#### Flooding

- (1) Development which could be at significant risk from flooding, and/or could increase flood risk elsewhere will be resisted.
- (2) Development that will reduce the likely incidences of flooding will be supported subject to compliance with other policies of the Proposed Plan.
- (3) There will be a presumption against development within functional flood plains. 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.
- (4) Infrastructure developments may be permitted as exceptions to this policy but only where it can be demonstrated that a specific location is required for operational reasons or that the development cannot be located elsewhere. In such cases, the development must be designed to remain operational in times of flood and not impede water flow, and the effect on the flood water storage capacity must be kept to a minimum.

### Policy E5

#### Surface Water Drainage and Water Quality

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

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

The Council will encourage the adoption of an ecological approach to surface water management through habitat creation or enhancement by, for example, forming wetlands or ponds and opening up culverted watercourses. Invasive non-native species should not be introduced and their removal is encouraged. New planting must be with native species. The

physical area of any development covered by impermeable surfaces, should be kept to a minimum to assist with flood risk management. **30**

## **GOVERNMENT GUIDANCE:**

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

Scottish Planning Policy on Promoting Business and Employment indicates the planning system should promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets; allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and give due weight to net economic benefit of proposed development.

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

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

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

Scottish Planning Policy on Promoting Sustainable Transport and Active Travel indicates the planning system should support patterns of development which optimise the use of existing infrastructure; reduce the need to travel; provide safe and convenient opportunities for walking and cycling for both active travel and recreation, and facilitate travel by public transport; enable the integration of transport modes; and facilitate freight movement by rail or water.