

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts to be the subject of a hearing by the Planning Applications Committee on 30th April 2014 and thereafter determined by the Full Council

Reference No: 2012/0625/TP

Ward: 1

Applicant:

Persimmon Homes Ltd
and Elphinstone Barcapel Ltd (in Administration)
180 Findochty Street
Glasgow
G33 5EP

Agent:

Site: Site Adjacent North Of Barcapel Avenue Newton Mearns East Renfrewshire

Description: Erection of residential development comprising 91 dwellinghouses and 40 flats with formation of access roads, SUDS areas, open space and landscaping.

REPORT OF HANDLING

Reference: 2012/0625/TP

Date Re-registered: 20th December 2013

Application Type: Full Planning Permission

This application is a Major Development

Ward: 1 Neilston Newton Mearns North Uplawmoor

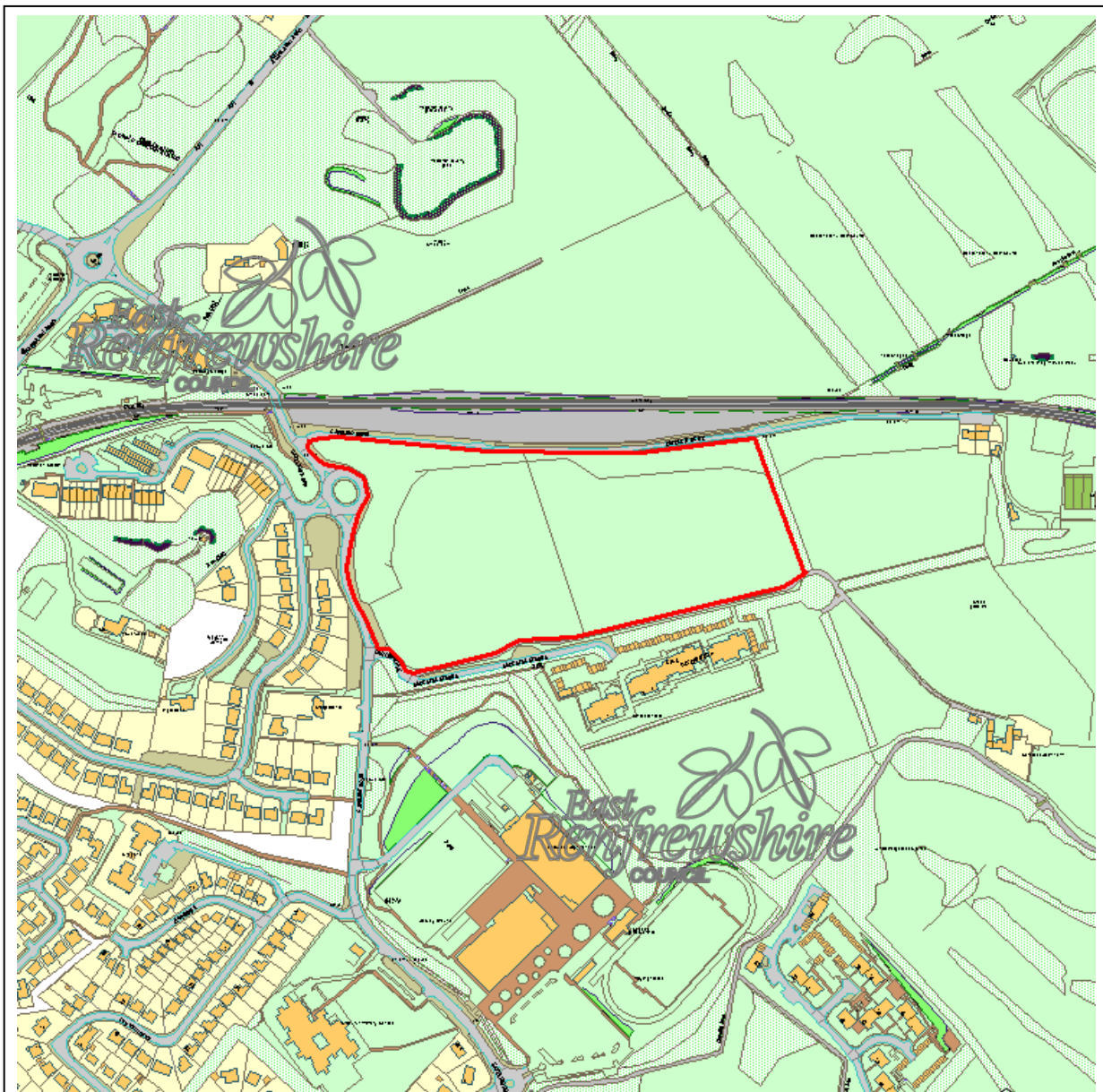
Co-ordinates: 254154/:657617

Applicant/Agent: Applicant: Agent:

Persimmon Homes Ltd
and Elphinstone Barcapel Ltd (in
Administration)
180 Findochty Street
Glasgow
G33 5EP

Proposal: Erection of residential development comprising 91 dwellinghouses and 40 flats with formation of access roads, SUDS areas, open space and landscaping

Location: Site adjacent and north of
Barcapel Avenue
Newton Mearns



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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions
East Renfrewshire Council Outdoor Access Officer	The inclusion of a footpath link across the eastern edge of the site will provide opportunities for access to the wider green network and in particular to the south of the development site.
East Renfrewshire Council Development Contributions Officer	No objection subject to the satisfactory conclusion of a legal agreement to secure the provision towards education, community facilities, parks, footpath network, roads and local employability/community benefits
East Renfrewshire Council Affordable Housing Officer	No objection subject to the satisfactory conclusion of a legal agreement to secure the provision of affordable housing
Scottish Environment Protection Agency	No objections subject to conditions
Scottish Water	No objections
East Renfrewshire Council Director Of Education	As pre-school, primary and secondary schools are at or close to 100% occupancy development contributions would be expected to address accommodation needs.
Newton Mearns Community Council	No response at time of writing
West Of Scotland Archaeology Service	No objections to the revised proposal and no further archaeological work required
East Renfrewshire Council Environmental Health Service	No objections subject to conditions
Strathclyde Partnership For Transport	No comments

PUBLICITY:

17.01.2014	Glasgow and Southside Extra	Expiry date 31.01.2014
19.04.2013	Glasgow and Southside Extra	Expiry date 03.05.2013
02.11.2012	Glasgow and Southside Extra	Expiry date 16.11.2012

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS:

A total of 603 representations have been received. It should also be noted that more than one objection has been received from some of the households.

On receipt of the application in October 2012 for 97 houses and 28 flats, representations were received from the undernoted:

Mr And Mrs. Gallagher 12 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mr. Alisdair Bruce Flat 2 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Martyn Gallop 2 Capelrig Drive Newton Mearns East Renfrewshire G77 6NW
Mrs. J. Kaplan 3/10 Barcapel Ave Newton Mearns East Renfrewshire G77 6QT
Mr. Norman Gray 7 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Tom And Lorna Hamilton 11 Bluebell Drive Newton Mearns East Renfrewshire G77 6FN
Mr. Ian Paul 16 Bluebell Drive Newton Mearns East Renfrewshire G77 6FN
Ms Sarah Gill 2 Capelrig Drive Newton Mearns East Renfrewshire G77 6NW
Mr Arthur Segal Flat 9 2 Barcapel Avenue Newton Mearns East Renfrewshire
George Morton Flat 6 2 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. John O'Malley 7 Violet Place Newton Mearns East Renfrewshire G77 6FQ
Carol And Robin Basu 6 Bluebell Drive Newton Mearns East Renfrewshire G77 6FN
Mr. And Mrs. Rose Flat 6 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. Shahazad Khalid 20 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Sara Black 6 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mr. Martin Smith 4 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mr Mohammed Anwar 2 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mrs H Blin Flat 5 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Steven Dykes Flat 1 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Ronald Kirkwood Flat 6 3 Barcapel Avenue Newton Mearns East Renfrewshire
Marie Miller Flat 8 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. Robin Johnston Flat 5 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs Joan Goldberg Flat 3 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Alan Shenkin Flat 9 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Joseph Fell Flat 10 2 Barcapel Avenue Newton Mearns East Renfrewshire
George Cornforth Flat 10 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Archie Bethel 2 Birch Grove View Capelrig Road Newton Mearns East Renfrewshire G77 6NJ
Mr Irvine Hyman Flat 7 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs Jennifer Quin Flat 4 3 Barcapel Avenue Newton Mearns East Renfrewshire G77 6QJ
Mrs Stephanie Silverstone Flat 9 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Robert Johnston Flat 5 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs Mary Johnston Flat 5 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Jim Malcolm 19 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Ms Ida Caplan Flat 5 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs. R. McMurray Flat 1 2 Barcapel Avenue Newton Mearns East Renfrewshire
Ms Rose Ann O'Shea 9 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mr. And Mrs. Eldeen 8 Violet Place Newton Mearns East Renfrewshire G77 6FQ
Nicholas And Alison Rowan 15 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mrs. C.E. Smith Flat 2 1 Barcapel Avenue Newton Mearns East Renfrewshire
J.A.H. Finlay Flat 7 2 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. John Hall 5 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mrs Leonna Shenkin Flat 9 3 Barcapel Avenue Newton Mearns East Renfrewshire G77 6QJ
Mrs Shona McConnell 4 Violet Place Newton Mearns East Renfrewshire G77 6FQ
Ms Doreen Nicol Flat 2 3 Barcapel Avenue Newton Mearns East Renfrewshire
Barcapel Owners Association Ms. Katherine Sneedan Jigsaw Planning PO Box 2844 Glasgow
Mr Roger Quin Flat 4 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Jack Silverstone Flat 9 4 Barcapel Avenue Newton Mearns East Renfrewshire G77 6QJ
Mr Graham Ferrier 1 Violet Place Newton Mearns East Renfrewshire G77 6FQ

Ms Joanne Ault 3 Bluebell Drive Newton Mearns East Renfrewshire G77 6FN
Jacqueline And Paul White 25 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Ms. Sarah Doreen Nicol Flat 3 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Colin Massey Flat 8 2 Barcapel Avenue Newton Mearns East Renfrewshire
I McNeil 9 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Ms. Patrice Dougan No address given
Mr. Harold Gold C/o Nicky Gold No address given
Heather Robertson And Franco Valente No address given
Ms Margaret McAlister No address given

On receipt of amended drawings for 95 houses and 36 flats in April 2013, all neighbours and representees were re-notified. Representations were then received from:

Mr. Norman Gray 7 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mr. Alisdair Bruce Flat 2 3 Barcapel Avenue Newton Mearns East Renfrewshire
Tom And Lorna Hamilton 11 Bluebell Drive Newton Mearns East Renfrewshire G77 6FN
Mr. John O'Malley 7 Violet Place Newton Mearns East Renfrewshire G77 6FQ
Ms S Nicol 3/1 Barcapel Avenue Newton Mearns
Mr. C Massey Flat 8 2 Barcapel Avenue Newton Mearns
Mr. J Murphy MP 1 Spiersbridge Way Thornliebank
Mr. K Macintosh MSP 1 Spiersbridge Way Thornliebank

On receipt of amended drawings for 104 houses and 36 flats in December 2013, all neighbours and representees were again re-notified. Representations were then received from:

Ms S Gill 2 Capelrig Drive Newton Mearns East Renfrewshire G77 6NW
George Morton Flat 6 2 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Shahazad Khalid No address given
J. Kaplan 3/10 Barcapel Ave Newton Mearns

On receipt of amended drawings in March 2014, all neighbours and representees were again re-notified. Representations were then received from:

Mr. Norman Gray 7 Foxglove Road Newton Mearns East Renfrewshire G77 6FP
Mr. Alisdair Bruce Flat 2 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs. J. Kaplan 3/10 Barcapel Ave Newton Mearns
Ms Sarah Gill 2 Capelrig Drive Newton Mearns East Renfrewshire G77 6NW
Mr. D Gallop 2 Capelrig Drive Newton Mearns East Renfrewshire G77 6NW
Mr Arthur Segal Flat 9 2 Barcapel Avenue Newton Mearns East Renfrewshire
George Morton Flat 6 2 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. Robin Johnston Flat 5 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Joseph Fell Flat 10 2 Barcapel Avenue Newton Mearns East Renfrewshire
George Cornforth Flat 10 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Irvine Hyman Flat 7 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs Stephanie Silverstone Flat 9 4 Barcapel Avenue Newton Mearns East Renfrewshire
Ms Mary Johnston Flat 5 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs. C.E. Smith Flat 2 1 Barcapel Avenue Newton Mearns East Renfrewshire
J.A.H. Finlay Flat 7 2 Barcapel Avenue Newton Mearns East Renfrewshire
Ms Doreen Nicol Flat 2 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Jack Silverstone Flat 9 4 Barcapel Avenue Newton Mearns East Renfrewshire G77 6QJ
Mr Colin Massey Flat 8 2 Barcapel Avenue Newton Mearns East Renfrewshire
Mr Mike Nowak 4 Deaconsgait Way Thornliebank
Mrs. Irene Links Flat 7 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. R Kirkwood Flat 6 3 Barcapel Avenue Newton Mearns East Renfrewshire
Ms. Alice Kirkwood Flat 6 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. William Goldberg Flat 3 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs J Goldberg Flat 3 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. A Shenkin Flat 9 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs L Shenkin Flat 9 3 Barcapel Avenue Newton Mearns East Renfrewshire

Grace Fernie 1 Rannoch Avenue Newton Mearns East Renfrewshire
Mr John Aitchison 5 Wellmeadow Farm Meadow Way Newton Mearns East Renfrewshire
Mrs C Paton 18 Fruin Avenue Newton Mearns East Renfrewshire G77 6HA
Mrs Margaret McPherson 1 Forrestfield Crescent Newton Mearns East Renfrewshire
Mrs C Mason Flat 1 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs L Galpern Flat 3 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs I Caplan Flat 5 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mindel Rose Flat 6 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. H Rose Flat 6 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. I McDickom Flat 8 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs. McDickom Flat 8 1 Barcapel Avenue Newton Mearns East Renfrewshire
Ms C Levin Flat 9 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mr.L Levin Flat 9 1 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs I Berkley Flat 10 4 Barcapel Avenue Newton Mearns East Renfrewshire
Ms V Gold Flat 3 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. H Gold Flat 3 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs N Butters Flat 8 4 Barcapel Avenue Newton Mearns East Renfrewshire
Ms M Hutton Flat 2 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. I Hutton Flat 2 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs M Dykes Flat 1 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs E Sochart Flat 7 4 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs H Blin Flat 5 4 Barcapel Avenue Newton Mearns East Renfrewshire
Ms E Finlay Flat 7 2 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. I Woodcock Flat 2 2 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. J Loudon Flat 2 2 Barcapel Avenue Newton Mearns East Renfrewshire
Ms S Fell Flat 10 2 Barcapel Avenue Newton Mearns East Renfrewshire
Ms J Massey Flat 8 2 Barcapel Avenue Newton Mearns East Renfrewshire
Ms P Segal Flat 9 2 Barcapel Avenue Newton Mearns East Renfrewshire
Ms E Bruce Flat 2 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs M Miller Flat 2 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mr. D Cooke Walden House Capelrig Road Newton Mearns East Renfrewshire
Mr. D Grey 7 Foxglove Road Newton Mearns East Renfrewshire
Mr Roger Quin Flat 4 3 Barcapel Avenue Newton Mearns East Renfrewshire
Mrs Jennifer Quin Flat 4 3 Barcapel Avenue Newton Mearns East Renfrewshire G77 6QJ
Colin Black No address given

The representations can be generally summarised as follows:

Contrary to Local Plan (primarily Policies E1, E2, E3 and DM1)

Located in Green Belt

Additional traffic /road safety

Pedestrian safety/no footway

Adverse impact on infrastructure

Prime agricultural land

Pressure /impact on schools

Loss of natural heritage/habitats

Noise and disturbance during construction

Noise pollution

Overdevelopment

Not appropriate location /demand for Affordable Housing

Consented sites unbuilt/houses not sold

Inadequate open space/ play areas

Inadequate Transport Assessment

Inaccurate assessment of school rolls

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Acoustic Report	The report assesses daytime and night time background noise levels including railway noise measurements. There are no significant noise issues and no mitigation required. It should be noted that the report was prepared for the application when it was first submitted and has not been updated to reflect the amended proposed layout.
Archaeological Report	Assesses programme of trial trenching to provide archaeological potential of site. Trenching revealed two fragmentary areas of medieval or post medieval period rig and furrow cultivation remains. No other features of substantial archaeological significance were identified. It should be noted that the report was prepared for the application when it was first submitted and has not been updated to reflect the amended proposed layout.
Design Statement	Design and Access Statement analyses the design context relating to the development site and its surroundings and the development proposal in relation to national and local policies
Drainage and Flood Risk Assessment	The applicant has provided an assessment of the development site and concludes that there is no significant risk from surface water run-off from the adjacent land. However as the site is sloping there will be a risk of surface water flooding from within the site which will require to be managed through a drainage system. No significant risk of flooding from sewers along the northern boundaries of the site or the ground water. Details of drainage system and SUDS to be agreed with the Council.
Habitat Survey	The site comprises three habitat categories: semi-improved neutral grassland; improved grassland used for grazing and species poor defunct hedge. There are no plant species of conservation note. Some evidence of Japanese knotweed. The site is not suitable for otters and great crested newts; no buildings or trees within the site for bats; no evidence of badgers or water voles; limited scope for nesting birds. Two species of butterfly recorded. Majority of site is of low ecological value. Hedgerow is a wildlife corridor. Made 6 recommendations.
Pre-application consultation report	The 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 the Glasgow and Clyde Valley Strategic Development Plan; the East Renfrewshire Local Plan; East Renfrewshire Council Supplementary Planning Guidance: Unallocated Housing Proposals; the Proposed Local Development Plan; Scottish Planning Policy ; National Planning Policy;
Supporting Statement	The applicant has submitted a statement in support of the open space and affordable housing provision. Strategic planting strips and pockets of landscaping soften the visual impact. 7 LAPS provided. Two LEAPS required but only one provided which will be offset by a commuted sum. The required MUGA has not been provided as it would be impracticable due to the topographical constraints Required level of Affordable Housing provided and spread throughout the site. Will be subject to a legal agreement.
Transport Assessment	The assessment considers the impact of the development on the transport network; the accessibility of the site by a range of transport modes and estimates number of trips against basic traffic flows.

ASSESSMENT:

This is a Major Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and therefore has to be presented to the Planning Applications Committee for determination. The application has also received more than 10 objections.

The application is a Major Development and constitutes a significant departure from the development plan that requires a pre-determination hearing by the Planning Applications Committee and thereafter to be decided by the full Council.

The Site

The application site is undulating agricultural land, approximately 6.8 hectares in area, and is located within the Green Belt area at the northern edge of the built up area of Newton Mearns. The site is generally rectangular in shape and is bounded by the Glasgow to Neilston railway line/Capelrig Drive to the north, Capelrig Road to the west, Barcapel Holm Farm Road/Barcapel Avenue to the south and an established tree belt and agricultural land to the east. The site rises upwards from north to south is traversed by overhead power lines to the north.

The proposal

Planning permission is being sought for a total of 131 residential units comprising 91 houses and 40 flats. Thirty three units are allocated for affordable housing and will be located to the north of the site. A variety of house types are proposed throughout the site and include detached, semi-detached and terrace houses and 2 and 3 storey flats. The majority of the houses have integral garages and there is provision for residents and visitor parking. Externally, the buildings will be finished in render and facing brick with tiled roofs.

Access to the site is from the existing roundabout at Capelrig Drive. The internal road layout will comprise two parallel and linear routes terminating at the east boundary. A shared surface secondary loop will be accessed from the southern development road. There will be pedestrian access between the two linear routes, parallel to the east boundary, which will link into the road to Barcapel Holm Farm Road and beyond. A Sustainable Urban Drainage System (SUDS) will be formed in the north east corner of the site. There will be regrading of the site to make it more level. The proposed houses will generally follow the topography of the site with the ridge lines rising up from north to south. Amenity open space, both formal and informal, will be provided with structural planting along the east and south boundaries. It should be noted that the layout, house types and unit numbers have been amended since the application was submitted. The details of the development will be assessed in greater detail in the report.

It should be noted that the application was originally submitted for 97 houses and 28 flats however the proposed number of units on the site has been amended several times since submission of the application.

The applicant has indicated that the intention is to deliver units on site as early as possible after the necessary consents are granted and has also indicated the development is to be constructed in three phases. The first phase is to be at the north-west corner of the site adjacent to the existing roundabout and comprises a total of 33 units (including 15 affordable units). The second phase is to be at the south-west corner of the site stretching towards the centre of the site and comprises a total of 50 units (including 6 affordable units). The third phase is to be towards the east of the site and comprises a total of 48 units (including 12 affordable units).

The proposal was screened against the Environmental Impact Assessment Regulations. The Screening Opinion concluded that an EIA was not required as the impacts would not have significant environmental effects and the detailed impacts could be assessed during the processing of the planning application.

This application is required to be assessed against the development plan and any material planning considerations including Scottish Planning Policy, consultation responses and representations.

Development Plan

The Glasgow and the Clyde Valley Strategic Development Plan (SDP)

The Glasgow and the Clyde Valley Strategic Development Plan (SDP) was approved on 29 May 2012 and forms part of the development plan for East Renfrewshire.

The SDP includes an indicative All Tenure Housing Requirement for the period from 2008/2009 to 2025 by local authority area. These figures are derived from the Strategic Housing Needs and Demands Assessment and are a combination of the private sector and affordable housing requirements including backlog need. For the period 2008/09 to 2020, there is an indicative all-tenure requirement in East Renfrewshire of 5200 units with a further 500 units in the period 2020 to 2025.

The SDP 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 allocated for later phases. 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 are not compromised. This process has been undertaken in the preparation of the Councils Proposed Plan.

It is the role of Local Development Plans (LDP's) to deliver the scale of house completions required across all tenures in the period from now until 2020 and from 2020 to 2025. LDP's are required to ensure that a 5 year effective housing land supply is maintained at all times throughout the plan period and to allocate land on a range of sites which is effective up to year 10 from the predicted year of adoption ensuring a continuous generous supply at all times.

A report on the Proposed Local Development Plan Strategy and Housing Options was presented to the full Council on 12 September 2012. This report formed the basis upon which the Strategy of the Proposed Plan was based. The proposed Local Development Plan was approved by Council for consultation at its meeting of 12th December 2012. The strategy of the LDP to 2025 reflected the need to achieve a sustainable pattern of development and is based upon a controlled master planned approach to urban expansion providing flexibility and generosity of land supply. The LDP sets out a settlement strategy to provide a long term context for development, to promote the efficient use of land and buildings, to co-ordinate development with infrastructure requirements and ensure the protection of the Environment.

A detailed assessment of the SDP Housing Requirements and the current housing land supply was undertaken to identify a realistic and achievable housing land supply target for the LDP. The justification and explanation of how the housing supply target of 4100 units was calculated is set out in Appendix H1 of the Proposed Plan Monitoring Statement (December 2012). A number of new sites were brought forward into the LDP including this site at Barcapel (SG2.8) and programmed over phase 1 of the Plan.

In the adopted East Renfrewshire Local Plan 2011, there is an established land supply of 2,261 units (all tenures i.e. comprising both private and affordable sectors) of which 2,061 are programmed during the period 2012-25 based upon the 2012 Housing Land Audit (HLA).

Based upon the 2013 HLA, which incorporates all new sites promoted through the proposed Local Development Plan, including this site at Barcapel, there is a total Established Land Supply of 3403 units programmed during the period 2013-25.

There is a gap between the current identified land supply in East Renfrewshire and the Indicative All Tenure Housing Requirement identified in the SDP. However, as explained above, the Council has set a target of 4100 units in its LDP.

In total there have been 819 completions during the period 2009-2013 of which 492 have contributed to the private sector requirements. This has been below the SDP private sector requirements. Based upon the 2012 HLA, the private sector land supply was not sufficient to provide a continuous 5 year effective land supply during the period 2012-17 and each subsequent 5 year period up to 2015-2020. However with the introduction of the sites in the LDP a continuous 5 year land supply is provided from 2013-18 and each subsequent 5 year period.

The LDP will therefore provide in excess of this target of 4100 units by 2025.

The SDP also seeks the development of a multi-functional Green Network and the designation of the inner & outer boundaries of Greenbelt as a priority for the LDP. In particular the LDP is tasked with

defining the detailed boundaries and policies to safeguard the Greenbelt taking into account Scottish Government Policy. Given the size, scale and location of the proposed development, it is considered that this application is not significant in terms of the strategic greenbelt and does not impact on the SDP's spatial development strategy or its spatial role.

The impact of the proposal on the Green Belt at a local level and the Local Development Plan (LDP) are discussed later in the report.

Adopted East Renfrewshire Local Plan 2011

Policy Strat2 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. Strat2 also indicates that the Council will adopt a sequential approach in the assessment of all development proposals with preference given to urban locations. 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 greenbelt adjacent to the urban area. It also requires consideration to be given to accessibility to facilities such as schools, shops and community facilities.

The applicant has submitted information on how they consider the proposal accords with the Development Plan and material considerations. The applicant considers that the proposal accords with the Strat2 as it will, for example, meet a significant deficit in the delivery of housing within East Renfrewshire and is on a site which is integrated with travel networks and will increase community benefits; provide developer contributions towards infrastructure and provide Affordable Housing.

The site is in the Green Belt immediately adjacent to the Greenlaw Urban Expansion Area which now comprises properties in, for example, Foxglove Road and Bluebell Drive and therefore does not accord with the general aims of Strat2, E2 and DM3 of the adopted Local Plan which guides development to urban areas. However, there is a proven need for both mainstream and affordable housing within the area, as previously discussed, and consequently it has to be considered whether the proposal would threaten the overall integrity and defensibility of the Green Belt boundary. The site is bounded on two sides by housing with the construction of 95 houses ongoing at Hillfield to the north of the railway line that was approved under planning consent 2012/0569/TP. The Council's Green Belt and Landscape Character Assessment (LCA) dated November 2005 indicates that the overall assessment of the green belt boundary at this location is moderate.

Policy E2 indicates that there will be a strong presumption against inappropriate developments in the Green belt with non conforming proposals given favourable consideration in exceptional or mitigating circumstances and where the terms of Strat2 and DM3 can be satisfied.

Policy E3 relates to the protection of natural features. There are no natural heritage designations within or adjacent to the site. The site is located within a Tree Preservation Area (TPO) and is part of a much wider designation covering the urban area effectively bounded by Barrhead Road to the west, Stewarton Road to the north, and land to the east of Capelrig Road and Ayr Road to the south. There are no significant trees within the site. The proposal involves structural planting along the south and east boundaries and therefore there is the opportunity to plant native species and support biodiversity.

Policy E5 relates to archaeological remains. The West of Scotland Archaeology Service (WOSAS) initially requested a program of evaluation trenching to determine whether buried archaeological material was present within the site. Trenching was undertaken by the developer with negative results and as such no further work is required in this respect.

Policy E9 indicates that the Council will resist proposals where there would be a significant risk from flooding. The applicant has submitted a Flood Risk Assessment. It is considered that flood risk is not an issue in determining the application and the specific details could be addressed by a suitable planning condition if the application is approved.

Policy E10 requires a Sustainable Urban Drainage System (SUDS) to be incorporated into all new developments to moderate surface water drainage from the site and mitigate impacts on water quality. The proposal incorporates a SUDS area towards the north east side of the site. A development of this size requires a SUDS and this is a standard feature to deal with surface water drainage of residential developments. The specific details can be addressed by a suitable planning condition if the application is approved.

Policy T1 indicates that new developments be directed to locations which promote a choice between transport modes to reduce the need to travel by car. The proposed development would be served by rail services and a bus route.

Policy T7 indicates that the Council will support proposals which meet car parking standards. The Council's Roads Service has not raised any objections to the proposal in this respect.

Policy H3 requires that, for new residential developments, provision is to be made for an affordable housing contribution and this is supported by the Council's Supplementary Planning Policy Guidance (SPPG) on Affordable Housing (March 2012). For developments of 4 or more units, a minimum of 25% affordable housing is to be provided. The proposal delivers 33 affordable dwellings which is a mix of 1 and 2 bedroom flats; 2 bedroom two storey terraced houses; 3 bedroom two storey semi-detached houses; 1 and 2 bedroom flats including two wheelchair access homes. This complies with the minimum 25% provision and therefore meets the policy requirements. It is proposed that the affordable units would be delivered in partnership with Link Housing Association. The delivery of social rented housing is a high priority for the Council, given the significant level of need and demand for this tenure in the area. The proposed affordable dwellings are located in the northern half of the site where similar house types are proposed for sale on the open market. The proposal will contribute to an identified need and therefore is in keeping with policy H3 and the SPG on Affordable Housing. If the Council is minded to grant approval of this application, a Section 75 legal agreement to secure the delivery of the 33 affordable housing units will be required.

Policy DM1 sets out 14 development criteria against which all proposals are assessed. In this case the relevant criteria are considered to be 1, 2, 4, 5, 6, 7 and 8.

Criteria 1 and 2 aim to ensure that all developments are of a high quality and respect the character and amenity of the area. As previously stated, the site is bounded on two sides by residential properties with a new development under construction north of the rail way line. The area is characterised by a variety of two storey houses and blocks of flats. Consequently the type of built form is acceptable at the proposed development site. The positions of the proposed houses are far enough away from the neighbouring houses not to result in significant overshadowing or overlooking. It is acknowledged that the development will have a visual effect because of the change from fields to housing however this does not in itself warrant refusal the application.

Criteria 4 and 5 relate to the impact on landscape character and to ensure landscaping is an integral part of the development. These matters have been considered above.

With regard to criterion 6, Policy L4 of the adopted Local Plan requires new developments to incorporate, or to have satisfactory access to, appropriate open space and landscaping. Appendix 1 of the Local Plan sets out guidelines in relation to garden sizes and the requirement for amenity open space and equipped play areas. There is a shortfall of one Local Equipped Areas for Play (LEAP) and the provision of a multi-use games area (MUGA). Appendix 1 of the Local Plan states that where a development falls below the requirements for open space the developer will be expected to contribute towards the achievement of the standards. The applicant accepts the shortfall and has agreed to pay development contributions towards the cost of providing new and/or upgrading existing facilities/open space in the area. Appropriate garden sizes are being proposed in the development.

With regard to criterion 7, matters relating to the parking have been already addressed above. Scottish Government policy contained in "Designing Streets" encourages the creation of a sense of place through good street design in order to reduce vehicle speeds in residential areas.

The applicant has amended the layout to be more in keeping with Government policy by, for example, incorporating changes in the road alignment, introducing a mix of house types and varying to position of the front elevations of the houses. The changes to the layout has also been made to ensure the development accords with the requirements of the Council's Roads Service. It is acknowledged that the development road layout does not fully comply with principles of "Designing Streets" as it comprises two cul-de-sacs. However, it is accepted that the topography of the site, combined with the existing road/roundabout arrangements, are constraints to a more imaginative and innovative layout. The applicant will also provide a new footway along the east side of Capelrig Road.

It is considered that the proposal accords with Policy DM1 but does not fully comply with Policy L4.

Policy DM3 indicates the Council will give sympathetic consideration to proposals related to a recognised countryside use provided the functions of the Green Belt can be maintained and the viability

of important agricultural land is not prejudiced. As this application is for a housing development, it is not considered to accord with Policy DM3.

Policies E2 and DM3 seek to protect the Green Belt from inappropriate development. The site is in the Green Belt and therefore does not accord with the general aims of Policies E2 and DM3. However there is a proven need for both mainstream and affordable housing within the area and as such it has to be considered whether the proposal would threaten the overall integrity and defensibility of the Green Belt boundary at this location. The site is opposite the existing urban area of the Greenlaw Urban Expansion Area and has clearly defined boundaries which are both manmade and natural. These features mean that it is a self contained development. The release of this site from the Green Belt would not set a precedent for further development of land to the east or south. It is considered that the proposal is not a significant incursion into the Green Belt and does not prejudice the functions of the Green Belt within the wider area.

Other Material Considerations

Scottish Planning Policy on Housing

Scottish Government policy is that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements across all tenures. A supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for house building. This policy approach provides the opportunity for Development Plans to identify triggers for the release of future phases of effective sites such as where the 5 year effective land supply is not being met.

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) represents the current Council position in respect of the consideration of development proposals and many of the policies reflect those in the adopted Local Plan. The LDP is to be sent shortly for Examination to the Scottish Government. The LDP sets out the Council's preferred position in terms of its future land use policies and sets the framework for the growth and development of East Renfrewshire up to 2025 and beyond. In this regard, the site is identified as a proposed housing site (Policy SG2.8) with a notional capacity of 120 units.

In order to identify suitable sites the Council undertook a review of the greenbelt boundary which has informed the preparation of the proposed LDP and site selection to meet the Scottish Planning Policy (SPP) on housing and the SDP. The LDP process has identified the site as being appropriate for housing and therefore the use of the site for housing would be in keeping with the general aims of the proposed LDP. In relation to the identification of sites to be included in the LDP a site evaluation exercise was carried out. The methodology used in the evaluation is based upon the sequential approach to site selection and elaborates on the criteria set out in Policy Strat2 of the adopted Local Plan and Strategic Policy 2 of the LDP. The criteria include: land use type, location, impact, accessibility, environmental considerations, effectiveness, and economic/social benefits. The application site was evaluated and identified for release from the green belt. It is considered that this evaluation exercise and the identification of the site through this process is a material consideration which carries weight in determining this application.

It should be noted that Policy D7 relates open space provision within new developments and refers to the Supplementary Planning Guidance - Green Network and Environmental Management. It should be noted that the requirement for formal play areas such as MUGAs is less prescriptive than the current Local Plan.

Supplementary Planning Guidance - Development Contributions

This provides a framework by which the planning system can support the delivery of development while alleviating any potentially negative impacts on land use, the environment and infrastructure that would make it unacceptable in planning terms. The document sets out the method by which development contributions will be calculated and information on the means of securing payments. The developer has agreed to make contributions towards education; library and community halls; sports facilities; green network; footpath network and roads and transportation which would benefit, for example, Newton Mearns Library, Crookfur Pavilion, local schools and the provision of a footpath network in vicinity of Eastwood High School.

Consultation responses

The Council's Roads Service has not objected to the proposal and has recommended a number of conditions.

Agreement has been reached between the developer and the Council regarding financial contributions towards education provision to manage the expected pupil numbers generated by this proposal. Education Service has therefore not objected to the proposed development.

The Council's Environmental Health Service has assessed the proposal including the impact of railway noise and implications for raising land in this vicinity and has concluded that there is no significant issue.

Scottish Water has raised no objections to the development in terms of water supply or sewerage treatment however the developer will have to agree connection to Scottish Water's infrastructure separately.

SEPA has not objected on grounds of flooding.

Representations

With regard to the objections that have been received, the following comments are made. It should be noted that the majority of issues raised by the letters of representation have been addressed above.

It is acknowledged that the site is currently within the Green belt. This does not, however, automatically render the proposed development unacceptable. If a proposal does not accord with the Development Plan, it should be refused unless there are material considerations which would justify setting aside the relevant policies and approving the application. In this case, the proposed designation of the site in the proposed Local Development Plan is a material consideration and none of the consultees have objected to the proposal. The development of this site for housing is not considered to set a precedent for any future development to the east and south of the site. If future applications are submitted for adjacent land they will be assessed against the Development Plan and material considerations at that time.

A new footway to be formed along the east side of Capelrig Road shown on the submitted drawings is on land outwith the identified application site and not within the applicant's ownership. However, the area on which the proposed path is shown is a grass verge that is part of the adopted road and this has been confirmed by the Roads Service. It is therefore competent for the footway to be formed with the agreement of the Council as Roads Authority.

The SPG Development Contributions set out in detail the formulae by which residential developments will be assessed for development contributions towards education provision.

The current slow rate of construction and the sale of houses is a result of a number of factors not influenced by the planning system.

The site is not prime agricultural land and is under grass.

Overall conclusion

It is acknowledged that this site is in the Green Belt and is a departure from the adopted East Renfrewshire Local Plan being land that is not specifically identified for housing. It is also acknowledged that the proposal represents changes at this location. The housing land supply issue has been previously well documented in terms of the report into the Local Development Plan Strategy and Housing Options that was presented to the full Council on 12 September 2012. The position regarding the housing land supply has evolved since the East Renfrewshire Local Plan was adopted and there is now the requirement for substantial housing land to be released in order for the proposed Local Development Plan to accord with the Strategic Development Plan. This also means that the adopted Local Plan does not now accord with the SDP. This is a significant consideration in determining this application.

This proposal has the advantage of delivering housing units towards the SDP All Tenure Housing Requirements in the period from examination by the Scottish Government and its final adoption. There is therefore a need for the development in housing land supply terms which links into Policy Strat2 of the adopted Local Plan. It has to be considered whether this is the right location for housing

development and as indicated above in the assessment, the location of the site is acceptable in terms of impact on the green belt and assessment against the Sequential Approach. The applicant has stated that they are willing to accept an earlier start date to ensure that the development is delivered timeously.

It is considered that the development will also be seen in the context of the Greenlaw Urban Expansion Area and is compatible with the suburban nature of the wider area. In addition the development will not result in significant impact on the road network or impact on environmentally sensitive areas. There have been improvements to the proposed layout since the original submission and there are also significant community benefits. Much need affordable housing, integrated into the layout, will be provided. Additional tree planting will be undertaken to augment and reinforce the established tree belt and southern boundary

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 the following conditions and the conclusion of a legal agreement(s) relating to the delivery of affordable housing and developer contributions. In addition, to direct under Section 58 (2) of the Planning Act that the development is commenced within two years from the date of the planning permission rather than the normal three year period.

It should be noted that if this recommendation is agreed with the application does not have to be notified to the Scottish Ministers. Although the application is considered to be a significant departure from the development plan the Council does not have an interest in the development and statutory consultees have not objected to the application.

PLANNING OBLIGATIONS: Legal agreement(s) relating to the delivery of affordable housing and contributions towards education, community facilities, parks, footpath and path networks, roads provisions, and local employability/community benefits

CONDITIONS:

1. Prior to the commencement of work on site, details of the phasing of the entire development, and a construction schedule, including the provision of the Sustainable Urban Drainage System, structural planting along the boundaries and open space, shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Following approval, the development shall be implemented in accordance with the approved phasing scheme.

Reason: In order to ensure a properly programmed development

2. Prior to work commencing on site details /samples of materials to be used on all external surfaces of the building and hard surfaces shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration) and thereafter implemented as approved.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

3. Prior to the commencement of any work on site, a scheme for the provision of the equipped play area (LEAP) and play areas (LAPs) in compliance with the adopted East Renfrewshire Local Plan shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration) and shall include:-
 - a) details of the type and location of play equipment, seating and litter bins to be situated within the play area;
 - b) details of the surface treatment of the play area, including the location and type of safety surfaces to be installed;
 - c) details of any fences to be erected around the play area
 - d) details of the phasing of these works; and
 - e) details of the future maintenance of the play area.

Following approval, the development shall be implemented and completed in accordance with the approved scheme and thereafter the areas shall not be used for any purpose other than as a play area.

Reason: To ensure the provision of adequate play facilities within the site and within an acceptable timescale.

4. A scheme of hard and soft landscaping works shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Details of the scheme shall include:-

- i) Details of any earth mounding, hard landscaping, grass seeding and turfing
- ii) A scheme of tree and shrub planting including the structural planting, incorporating details of the number, variety and size of trees and shrubs to be planted
- iii) Details of the phasing of these works
- iv) Proposed levels
- v) Schedule of maintenance.

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

5. The landscaped scheme approved in condition 4 above shall be implemented as follows:-
- a) Completion of the scheme during the first planting season following the completion of the buildings or in compliance with the phasing programme agreed to comply with Condition 1 above.
 - b) Maintenance of the landscaped area for a period of five years. Any trees, shrubs or areas of grass which die, are removed, damaged or diseased within 5 years of the completion of the landscaping shall be replaced in the next planting season with others of a similar size and species.

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

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

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

7. Details and location of all walls (including retaining walls) and fences to be erected on the site shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration) and thereafter implemented as approved.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

8. Wheel washing facilities shall be on site at all times during the construction of the development hereby approved.

Reason: To avoid the deposition of mud and other deleterious material on the public roads and in the interests of roads safety.

9. No activities in connection with construction (including offloading of delivered materials) which are liable to cause disturbance to occupiers of nearby existing properties should be carried out:
Prior to 08.00 hours or after 19.00 hours Monday - Friday
Prior to 08.00 hours or after 13.00 hours Saturday,
with no such activities carried out on Sundays.

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

Reason: To protect adjacent dwellinghouses from noise/disturbance

10. In the event that any unrecorded archaeological remains are found, all work in the vicinity shall cease and a scheme of investigation shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration) following consultation and agreement with the West of Scotland Archaeology Service.

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.

11. Prior to work commencing, details of the footpath shown on drawing VL-023-1 shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter, the approved details shall be implemented in compliance with the phasing programme agreed in condition 1 unless otherwise agreed in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To ensure the provision of a pedestrian link within the site

12. Details of the bin stores, their siting and number of refuse receptacles shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration) and shall thereafter be constructed prior to the occupation of the flats hereby approved.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area and that the bin stores are of a size able to accommodate East Renfrewshire's recycling facilities

13. Details of the siting, design and enclosure of any structures for the supply of gas, electricity or water on the site shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration) and thereafter implemented as approved.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

14. For all internal junctions within the site (including access to parking courtyards), minimum visibility splays of 2.5m by 25m shall be provided and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent roads.

Reason: In the interests of roads safety and to enable drivers of vehicles to have a clear view over a length of road.

15. Prior to work commencing on site, detailed levels, diagrams and sections, showing the existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be constructed in accordance with the approved level drawings.

Reason: To ensure that the levels are acceptable at this location.

ADDITIONAL NOTES:

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.

A Road Construction Consent is required under Section 21 of the Roads (Scotland) Act 1984. In addition a Road Bond is required under Section 17 of the Roads (Scotland) Act 1984.

The Developer is required to consult with East Renfrewshire Council's Development Plans Section on 0141 577 8542 on proposed street naming and numbering at an early stage in the development.

The applicant is advised that no construction work should take place within the main bird breeding season (beginning of April to end of June) in keeping with the provisions of the European Council's Directive 92/43/EEC on the Conservation of Natural Habitats, the Wildlife and Countryside Act 1981 (as amended) and the Nature Conservation (Scotland) Act 2004

Construction works associated with the development of the site must be carried out with due regard to the SEPA's guidelines on avoidance of pollution. Reference should be made to the relevant Pollution

Prevention Guidance (PPG) Notes available on SEPA's website at www.sepa.org.uk and to the CIRIA publication C651 "Environmental Good Practice Pocket Book".

Any waste materials imported to the site during construction must be stored and used only in accordance with the waste management licence or exemption under the Waste Management Licensing Regulations 1994 (as amended). Similarly, any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations.

East Renfrewshire Council Roads Service should be consulted regarding a Road Opening Permit for service connections and footway crossover.

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.

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

Road, footway or parking improvements have been achieved during the processing of the application to ensure that the proposal does not have a detrimental impact on road users.

The provision for affordable housing has been achieved during the processing of the application in accordance with the Council's Local Plan policies.

The provision for community, environmental and/or economic benefit has been achieved during the processing of the application in accordance 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:

Further information on background papers can be obtained from Ms Alison Mitchell on 0141 577 3117.

Ref. No.: 2012/0625/TP
(ALMI)

DATE: 23rd April 2014

DIRECTOR OF ENVIRONMENT

DEVELOPMENT PLAN:

Glasgow and the Clyde Valley 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 “percent 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)"

Policy E5

Archaeological Remains

Scheduled Ancient Monuments and other identified nationally important archaeological resources shall be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances. The Scheduled Ancient Monuments within East Renfrewshire are listed below and shown on the Proposals Map.

All other significant archaeological resources shall be preserved in situ wherever feasible. The planning authority will weigh the significance of the archaeological resources and of any impacts upon them and their settings against other merits of the development proposals in the determination of planning applications.

The developer may be requested to supply a report of an archaeological evaluation prior to determination of the Planning Application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis, publication and archiving, in advance of development.

Schedule E5

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 DM3

Green Belt and Countryside Around Towns (CAT)

The Council will give sympathetic consideration to development proposals related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area providing the functions of the Green Belt can be maintained and the viability of important agricultural land and units is not prejudiced.

The following criteria will be strictly adhered to for development proposals within the Green Belt and CAT.

New Dwellinghouses

A new dwellinghouse will only be permitted in the Green Belt and CAT where it can be clearly

demonstrated that:

1. There is a specific need for the dwelling to be sited at that location in the countryside and no other suitable property or site is available, including opportunities to convert or rehabilitate redundant rural buildings.
2. It is required for a person engaged locally in full-time employment in agriculture or other appropriate rural use and this is controlled through an occupancy restriction that may be subject to a Section 75 Agreement.
3. A viable business has been established at that location for a period of 3 years which can support a worker and the need for a new dwellinghouse..
4. The new dwelling is situated adjacent to any existing farmstead or other building grouping.
5. The new dwelling is sympathetic in scale and design to its rural location and fits into the landscape.

All Developments

Where acceptable in principle, development proposals also require to meet the general local Planning principles set out in Policies DM1 - "Detailed Guidance for all Development" and DM2 - "Alterations to and Redevelopment of Existing Dwellinghouses". Other proposals may be acceptable where in accordance with policy Strat2.

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 a 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 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 T7

Parking Standards

The Council is reviewing its parking standards in line with the guidance in the consolidated Scottish Planning Policy. The Council will support proposals which meet these new standards.

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.

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) is to be sent shortly for Examination to the Scottish Government. The LDP outlines the Council's most up to date statement of planning policy.

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.

Strategic Policy 3

Development Contributions

The Council wishes to secure community infrastructure and environmental benefits arising from new developments to mitigate their impacts.

New developments that individually or cumulatively generate a requirement for new infrastructure or services will be expected to deliver, or contribute towards the provision of, supporting services and facilities. Planning permission will only be granted for new development where the identified level and range of supporting infrastructure or services to meet the needs of the new development is already available or will be available in accordance with an agreed timescale.

The master plans for the areas for change are required to identify the infrastructure requirements

and development contributions required to support development. The master plans should identify how the infrastructure or services will be delivered to support the proposed development.

For all proposals viability will be a key consideration when determining the suitable level of development contributions.

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

Policy 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 disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. 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 D7

Green Infrastructure and Open Space Provision within New Development

New development proposals should incorporate a range of green infrastructure including open space provision, multi use access, sustainable urban drainage 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 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 SG4

Housing Mix in New Developments

All new housing proposals should include in their design a mix of house types, sizes and tenures to accord with the Council's Local Housing Strategy and the Strategic Housing Needs and Demand Assessment. The design should include smaller house types and an element of accessible and adaptable properties to meet the needs of our ageing population and households with particular needs. This mix is in addition to affordable housing contributions.

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.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Affordable Housing indicates that where the housing need and demand assessment and local housing strategy identify a shortage of affordable housing, it should be addressed in the development plan as part of the housing land allocation. Should such sites be allocated they are most likely to be appropriate for small-scale sites within or adjoining existing settlements to provide for locally arising needs. Planning authorities may seek a percentage affordable housing contribution from developers of new housing developments where this is justified by the housing need and demand assessment and is included in the local housing strategy and development plan. The benchmark figure is 25% of the total number of housing units.

Scottish Planning Policy on Housing indicates that planning authorities should ensure that sufficient land is available to meet the housing requirements for each housing market area in full unless there are serious local environmental or infrastructure restraints. Redevelopment of urban and rural brownfield sites is preferred to development on greenfield sites.