

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

Index of applications under the above acts to be considered by Planning Applications Committee on
13th August 2014

Reference No: 2014/0171/TP

Ward:

Applicant:

Mr. Allan O'Dowd
11 Eriskay Avenue
Newton Mearns
East Renfrewshire
G77 6XB

Agent:

BM Plan and Design
144 Moraine Drive
Glasgow
G15 6JD

Site: Land at rear of 9 and 11 Eriskay Avenue Newton Mearns East Renfrewshire G77 6XB

Description: Change of use of open space at rear to enlarge rear gardens with erection of boundary walls

Reference No: 2014/0271/TP

Ward: 5

Applicant:

CALA Management Ltd
Cairnlee House
Callendar Business Park
Callendar Road
Falkirk
FK1 1XE

Agent:

Site: Adjacent land to west of 1-20 Cheviot Drive and east of Fa'side Lodge Ayr Road Newton Mearns East Renfrewshire

Description: Erection of residential development comprising 44 detached houses and 14 flats with associated access road, open space and SUDS area (amendment to previous planning permission 2011/0732/TP to substitute house types on plots 1 to 28 and 43 to 44)

Reference No: 2014/0334/TP

Ward: 2

Applicant:

Mr Campbell Park-Patterson
Bluestone Design
27 Cross Arthurlie Street
Barrhead
East Renfrewshire
G78 1QY

Agent:

Site: 25 Cross Arthurlie Street Barrhead East Renfrewshire G78 1QY

Description: Formation of outdoor seating areas on raised terrace at rear

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5 REPORT OF HANDLING

Reference: 2014/0171/TP

Date Re-registered: 4th July 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 Neilston Newton Mearns North Uplawmoor

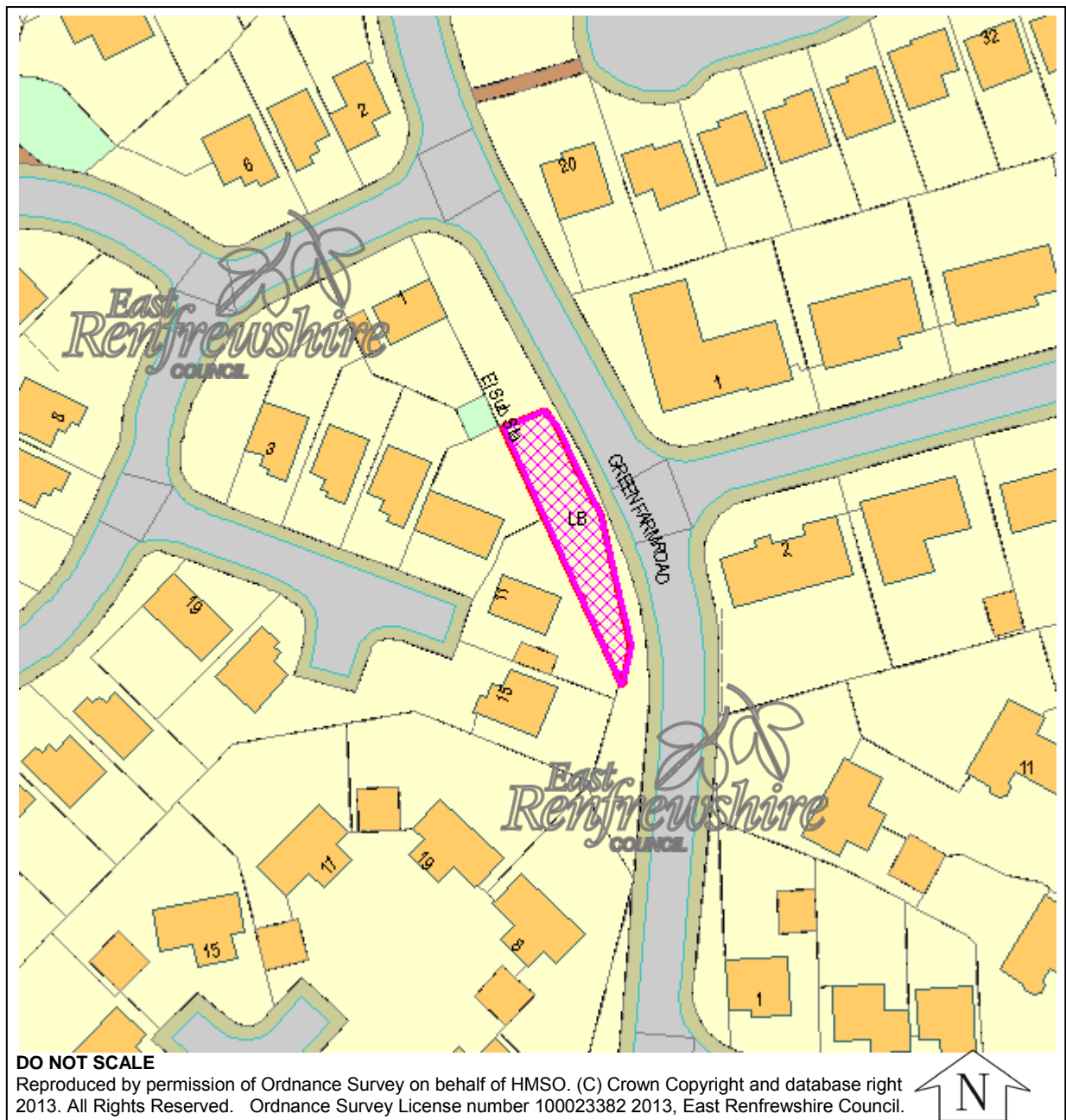
Co-ordinates: 252790/:656334

Applicant/Agent: Applicant:
Mr. Allan O'Dowd
11 Eriskay Avenue
Newton Mearns
G77 6XB

Agent:
BM Plan And Design
144 Moraine Drive
Glasgow
G15 6JD

Proposal: Change of use of open space at rear to enlarge rear gardens with erection of boundary walls

Location: Land at Rear of 9 and 11 Eriskay Avenue
Newton Mearns
G77 6XB



CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads and
Transportation Service

Recommends refusal on roads safety grounds.

East Renfrewshire Council Property and Technical
Services

No objections. However the application includes land that is currently owned by East Renfrewshire Council and consequently the applicant would have to negotiate the purchase of this ground from the Council. Any sale would be conditional on the applicant first being able to secure planning permission for the change of use.

PUBLICITY:

16.05.2014 Glasgow and Southside Extra Expiry date 30.05.2014

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS:

A total of 26 representations have been received. It should be noted that some of the representations have been re-submitted following the submission of an updated land ownership certificate from the applicant and re-notification of neighbours by the Planning Service.

Mrs Eileen Low 26 Eriskay Crescent Newton Mearns East Renfrewshire G77 6XE
 Ms. Valerie Paton 2 Eriskay Crescent Newton Mearns East Renfrewshire G77 6XE
 Ms. Lynn Jafri 2 Islay Drive Newton Mearns East Renfrewshire G77 6UD
 Mrs Francine Carrick 1 Islay Drive Newton Mearns East Renfrewshire G77 6UD
 High Grant 1 Eriskay Avenue Newton Mearns East Renfrewshire G77 6XB
 Mr Nicos Nicholas 8 Easdale Place Newton Mearns East Renfrewshire G77 6XD
 Mr John Scanlon 9 Colonsay Drive Newton Mearns East Renfrewshire G77 6TY
 Mr Douglas Wilcox 1 Colonsay Drive Newton Mearns East Renfrewshire G77 6TY
 Mr Amanullah Durrani 3 Islay Drive Newton Mearns East Renfrewshire G77 6UD
 John And Margaret Stephen 11 Eriskay Crescent Newton Mearns East Renfrewshire G77 6XE
 Ms. Hilary Shearer 33 Eriskay Avenue Newton Mearns East Renfrewshire G77 6XB
 Mr Richard Rankin Alexander 6 Islay Drive Newton Mearns East Renfrewshire G77 6UD
 Elizabeth And Alasdair Ronald 28 Colonsay Drive Newton Mearns East Renfrewshire G77 6TY
 Mrs. Maggie Ritchie 4 Islay Drive Newton Mearns East Renfrewshire G77 6UD
 Ms. Tracey Gray and Mr. Angus King (both by email)
 Mr. John Watson Islay Drive Newton Mearns East Renfrewshire G77 6UD
 AM Cairns 34 Colonsay Drive Newton Mearns East Renfrewshire G77 6TY
 Mr Alan Williams 3 Westburn Crescent Aberdeen AB25 3BZ
 Mr Stephen MacInnes 46 Eriskay Crescent Newton Mearns East Renfrewshire G77 6XE
 Mr Gurdip Rakhra 24 Islay Drive Newton Mearns East Renfrewshire G77 6UD
 Councillor C. Gilbert East Renfrewshire Council Council Headquarters Rouken Glen Road
 Giffnock

Representations can be summarised as follows:

Road Safety
 Land Ownership
 Loss of Greenspace
 Visual Impact

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

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

The site comprises land at the rear of the properties at 9 and 11 Eriskay Avenue which are situated within a cul-de-sac of mixed house types. This area at the rear is grassed and is part of the open space that flanks Greenfarm Road. There is an electricity sub-station adjacent to 9 Eriskay Avenue with its access taken direct from Greenfarm Road. There is a bus stop on the same side of the road to the south of this site. It should be noted that the land is currently owned and maintained by East Renfrewshire Council. There is a timber fence enclosing the garden ground at the side of 1 Eriskay Gardens to the north of this site that was approved under 2002/0316/TP. The enclosed garden ground was in the applicant's ownership and existing visibility splays were not compromised by the proposal.

It is proposed to extend the existing garden ground of these properties into this space. This would result in 9 Eriskay Avenue being extended by approximately 34m² and 11 Eriskay Avenue by approximately 42m². Both extended gardens would be enclosed by a 2m high wall constructed from buff colour facing brick.

The proposal requires to be assessed against Policy L2 and DM1 of the adopted East Renfrewshire Local Plan with consideration given to the Policies D6 and D1 of the proposed Local Development Plan. Policy L2 states that there will be a general presumption against proposals which would result in damage to or loss of other areas of Greenspace not already safeguarded by Policy L1. Policy DM1 requires that any proposed development must not result in a significant loss of character or amenity to the surrounding area. Policies D6 and D1 of the Proposed Local Development Plan are similar to Policies L2 and DM1 of the adopted Local Plan.

The area of open ground is not identified as important urban greenspace to be protected under Policy L1 of the adopted Local Plan however it forms part of the streetscape as Greenfarm Road runs through this residential area. There will be a loss of part of the open space at this location as well as a resultant visual impact which will narrow the gap between the houses on each side of Greenfarm Road. Although this visual impact will be localised it is considered that the open space contributes to the character of this residential area. The loss of this open space is therefore not considered to be acceptable in visual terms.

The Council's Roads Service has indicated that this area of public space was incorporated into and presents an essential element of the road design of Greenfarm Road in order to provide the requisite forward visibility for road safety purposes. The Roads Service has therefore recommended refusal of the application on the grounds that the proposal would adversely impact on road safety on the public network. Greenfarm Road is a main road through this residential area and road safety is therefore important. Any development that is likely to compromise road safety cannot be supported. Based on the advice of the Roads Service it is not possible to recommend approval of this application.

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

Road Safety: The Council's Roads Service has been consulted on the application and has recommended refusal on roads safety grounds.

Land Ownership: the ownership certificate submitted initially with the application was not correct and an amended land ownership certificate has been submitted by the applicant to reflect the ownership of this ground by the Council. Should planning permission be granted the sale of the land will have to be agreed separately between the applicant and the Council and this issue is not a material consideration in determining this application.

Loss of greenspace and visual impact: these matters have been assessed above and the resultant change at this location is not considered to be acceptable.

The representation in support of the application comments that road safety will not be comprised should the application be approved. This assertion is not agreed with based on the consultation response from Roads Service.

Taking the above into consideration the proposal is considered detrimental to the character and amenity of the area, as well as compromising roads safety. It is therefore recommended that the application is refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASON(S) FOR REFUSAL:

1. The proposed development is contrary to Policies L2 and DM1 of the adopted East Renfrewshire Local Plan and Policies D6 and D1 of the proposed Local Development Plan as it involves the loss of an area of greenspace that contributes significantly to the character and amenity of the area.
2. The proposal interferes with the forward visibility at this bend on Greenfarm Road which is an essential element of the road design and will therefore adversely impact on road safety.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Ms Fiona Morrison on 0141 577 3895.

Ref. No.: 2014/0171/TP
(FIMO)

DATE: 6th August 2014

DIRECTOR OF ENVIRONMENT

Reference: 2014/0171/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

Given the size and scale of the development it is not considered that government guidance is a relevant material consideration.

East Renfrewshire Local Plan (Adopted 14th February 2011)

Policy L2

Safeguarding Local Greenspaces

There will be a general presumption against proposals which would result in damage to or loss of other areas of Greenspace not already safeguarded by Policy L1. Development proposals will only be considered acceptable where they comply with the terms of Policies Strat2 - "Assessment of Development Proposals" and DM1 - "All Development". However, it is recognised that in exceptional circumstances, where the benefits (eg. overall community gain) outweigh the cost of loss of greenspace and provided that the nature conservation, leisure, recreation, amenity and townscape value is not significantly prejudiced, development will be acceptable.

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.

Proposed Local Development Plan

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

Policy D6

Protection of Local Urban Greenspace

Areas of local urban greenspace, not identified on the Proposals Map will be safeguarded. The criteria used within Policy D5 will be utilised to assess the impact of development proposals on these areas.

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

GOVERNMENT GUIDANCE: None relevant

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13 REPORT OF HANDLING

Reference: 2014/0271/TP

Date Registered: 25th April 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

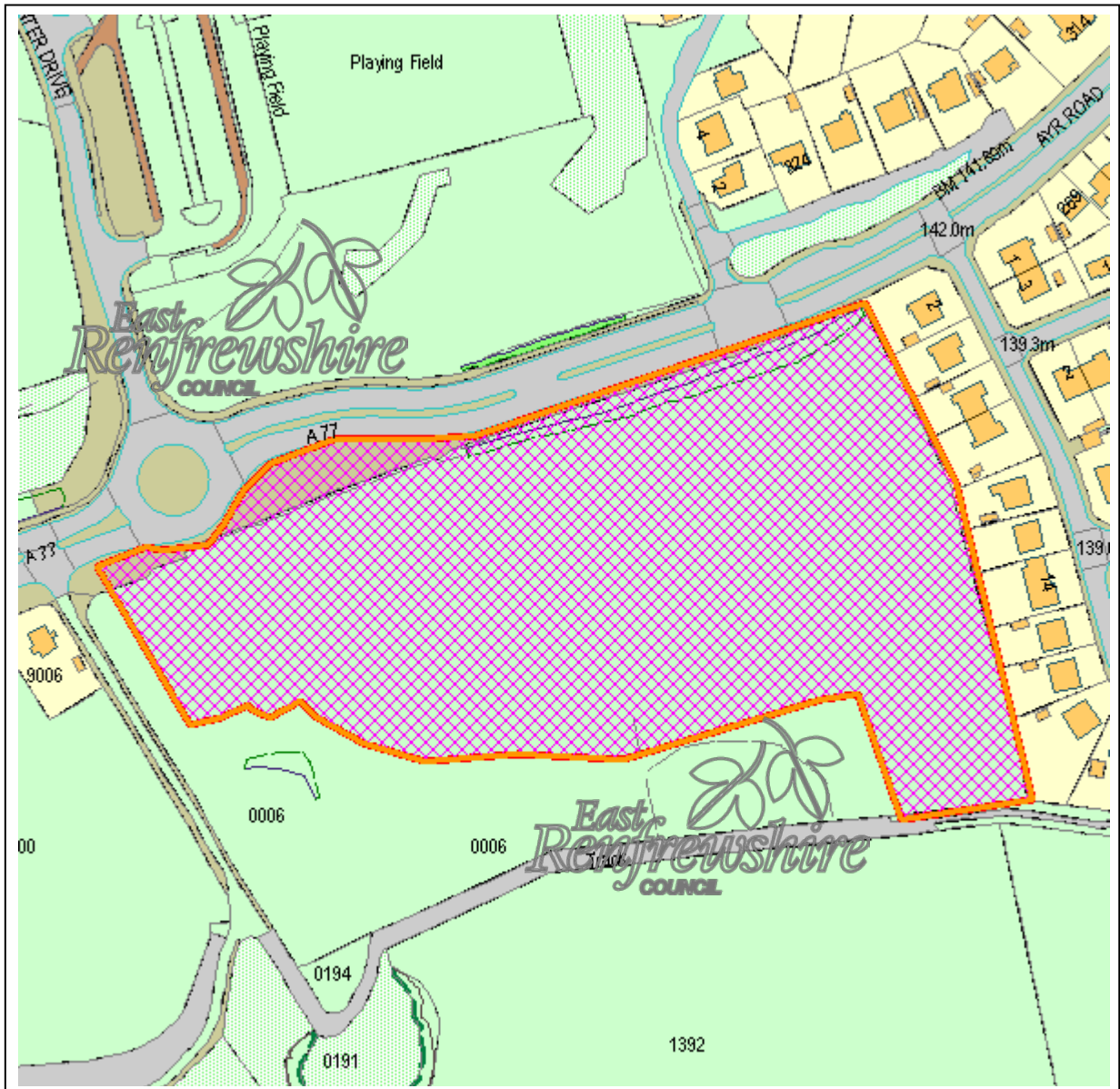
Co-ordinates: 253098/:655076

Applicant/Agent: Applicant: Agent:

CALA Management Ltd
Cairnlee House
Callendar Business Park
Callendar Road
Falkirk, FK1 1XE

Proposal: Erection of residential development comprising 44 detached houses and 14 flats with associated access road, open space and SUDS area (amendment to previous planning permission 2011/0732/TP to substitute house types on plots 1 to 28 and 43 to 44)

Location: Adjacent land to west of 1-20 Cheviot Drive and east of Fa'side Lodge
Ayr Road
Newton Mearns



CONSULTATIONS/COMMENTS:



East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions
East Renfrewshire Council Development Contributions and Affordable Housing Officer	No objections subject to conditions
Newton Mearns Community Council	Objects on grounds of flooding and the lack of an EIA

PUBLICITY:

16.05.2014 Glasgow and Southside Extra Expiry date 30.05.2014

SITE NOTICES: None.

SITE HISTORY:

2011/0732/TP	Erection of residential development comprising 44 detached houses and 14 flats with associated access road, open space and SUDS area	Approved subject to conditions	18.04.2012
2012/0594/TP	Formation of temporary access road off Ayr Road with associated alterations to central reservation	Approved subject to conditions	01.05.2013

REPRESENTATIONS:

A total of 31 representations have been received from:

Karen Mitchell 14 Cheviot Drive Newton Mearns East Renfrewshire G77 5AS
 Linsey Beck 26 Cheviot Drive Newton Mearns G77 5AS
 ML Cowan 24 Lauderdale Drive Newton Mearns East Renfrewshire G77 5AP
 Mr. Gregor Mitchell 24 Eddington Drive Newton Mearns East Renfrewshire G77 5AX
 Colin And Louise Selfridge 4 Moorcroft Road Newton Mearns East Renfrewshire G77 5AW
 Mr. Andrew Hastings 16 Cheviot Drive Newton Mearns G77 5AS
 Mr. Brian H. Jackson 22 Eddington Drive Newton Mearns East Renfrewshire G77 5AX
 Mr. Andrew Mitchell 14 Cheviot Drive Newton Mearns East Renfrewshire G77 5AS
 Mr. Brian Ferguson 25 Eddington Drive Newton Mearns East Renfrewshire G77 5AX
 Mr. Michael Bradnam 7 Wyvis Place Newton Mearns East Renfrewshire G77 5FP
 Mr J Fleming Munn 4 Eddington Drive Newton Mearns East Renfrewshire G77 5AX
 Mr Malcolm Greig 9 Eddington Drive Newton Mearns East Renfrewshire G77 5AX
 Mrs Anne Cowan 5 Eddington Drive Newton Mearns East Renfrewshire G77 5AX
 Ms. Sheila Mitchell 14 Cheviot Drive Newton Mearns East Renfrewshire G77 5AS
 Caroline Viney 10 Cheviot Drive Newton Mearns East Renfrewshire G77 5AS
 Mrs Tracey Gallagher 12 Eddington Drive Newton Mearns East Renfrewshire G77 5AX
 Mrs Allison Greig 9 Eddington Drive Newton Mearns East Renfrewshire G77 5AX
 Mr Alister McLaren 7 Paidmyre Road Newton Mearns East Renfrewshire G77 5AN
 Mr Brian Kilcoyne 159 Ayr Road Newton Mearns East Renfrewshire G77 6RE
 Mr. Brian Baird 4 Cheviot Drive Newton Mearns East Renfrewshire G77 5AS
 Mr. Allan Viney 10 Cheviot Drive Newton Mearns East Renfrewshire G77 5AS
 Neil Rolfe 11 Lauderdale Drive Newton Mearns East Renfrewshire G77 5AP
 Mrs Mhairi Hill 11 Paidmyre Road Newton Mearns East Renfrewshire G77 5AN
 Mr And Mrs Douglas And Lynn Harper 12 Lauderdale Drive Newton Mearns East Renfrewshire G77 5AP

Mr Bryson Mcneil Kismuil 20 Greenlaw Road Newton Mearns East Renfrewshire G77 6ND
 Mr. Robert Gibson 7 Moorcroft Road Newton Mearns East Renfrewshire G77 5AW
 Mrs. Patricia McCall 7 Glamis Avenue Newton Mearns East Renfrewshire G77 5NZ
 Mr. Thomas Iain McCall 7 Glamis Avenue Newton Mearns East Renfrewshire G77 5NZ
 Mr. G Scobie 30 Lauderdale Drive Newton Mearns East Renfrewshire G77 5AP
 Newton Mearns Residents Flood Prevention Group c/o 14 Cheviot Drive Newton Mearns East
 Renfrewshire G77 5AS
 DS Mylett (by email)

Representations can be summarised as follows:

Flooding and drainage issues in an area designated as high risk by SEPA
 Flood risk assessment required
 Environmental Impact Assessment required
 Review of Compensatory Flood Store required
 Potential for collapse of retaining embankments
 Rock blasting on site

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

This is a local development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However, as more than ten objections have been received to the application it has to be presented to the Planning Applications Committee for determination.

The application site is a field that is an allocated housing site in the adopted East Renfrewshire Local Plan that is located to the south of Ayr Road and west of the rear boundaries of the existing properties on Cheviot Drive. The site extends from the rear boundaries of Cheviot Drive west to the access road for Faside House. The topography of the site slopes down steeply from the southern boundary towards the centre of the site and then rises up to Ayr Road. The topography also rises from east to west with a level difference of approximately of 17m between the east and west boundary. The site is bound to the south and west by a Right of Way that connects the residential development within the former Mearns Kirk Hospital Grounds to Maidenhill and Ayr Road. The western boundary is defined by an avenue of mature trees which form the boulevard access to the adjacent B listed building Fa'side House. The wooded land beyond the south west corner of the site and beyond the right of way is designated as a Site of Importance for Nature Conservation.

This site has been the subject of previous planning applications, with planning permission approved under application 2011/0732/TP on 18 April 2012 for the erection of a residential development comprising 44 detached houses and 14 flats with associated access road, open space and SUDS area. This application was submitted by Stewart Milne Homes, the original owner and developer of the site. A further planning permission was approved on 1 May 2013 for the formation of a temporary access road off Ayr Road with associated alterations to the central reservation (2012/0594/TP). Planning Permission 2011/0732/TP was activated on site by the commencement of construction works by CALA Homes on 6 May 2014.

CALA Homes has since purchased the site from Stewart Milne Homes and permission is now sought to substitute house types at specific plots. The proposal does not involve any increase in unit numbers, with a total of 30 houses being substituted and replaced by a selection of six particular CALA house types.

There are other minor changes to the layout detailed in the application drawings, including a slight re-alignment of the carriageway at plots 35, 34 and 29, with new visitor parking spaces outside plots 28 and 17. The footpath to the east of the affordable housing flatted block will be relocated to

the west side of the flats, and will therefore access Ayr Road at a different location and approximately 28 metres south west of the original approved location. The previously approved SUDS area, compensatory storage area and play space will remain unaltered.

The principle of the type of development has been established through the allocation of the land in the adopted Local Plan and the approval of the original planning permission (2011/0732/TP), which includes the overall approved layout of the site and the erection of two storey houses throughout the site. The principle of the approval of the overall development is not being re-considered as part of this application. The determination of this application will solely focus on whether the substitution of the house types at the above plots is considered to be acceptable.

The proposed changes to house types in comparison to 2011/0732/TP are:

- Substitution of Southbrook house type at Plot 2 with Kennedy house type
- Substitution of Thornewood house type at Plots 19 and 43 with Kennedy house type
- Substitution of Southbrook house type at Plots 7 and 28 with Logan house type
- Substitution of Bradewood house type at Plots 11 and 16 with Logan house type
- Substitution of Southbrook house type at Plots 5, 10, 18 and 21 with Lewis house type
- Substitution of Thornewood house type at Plot 24 with Kennedy house type
- Substitution of Bradewood house type at Plot 13 with Melville house type
- Substitution of Southbrook house type at Plot 12 with Melville house type
- Substitution of Thornewood house type at Plot 22 with Melville house type
- Substitution of Bradewood house types at Plots 20 and 27 with Moncrieff house type
- Substitution of Southbrook house type at Plot 23 with Moncrieff house type
- Substitution of Thornewood house type at Plots 14 and 15 with Moncrieff house type
- Substitution of Bradewood house type at Plot 4 with Ramsay house type
- Substitution of Southbrook house type at Plot 6 with Ramsay house type
- Substitution of Thornewood house type at Plot 9 with Ramsay house type
- Substitution of Mearnswood house type at Plot 25 with Ramsay house type
- Substitution of Thornewood house type at Plot 17 with Ranald house type
- Substitution of Mearnswood house type at Plot 26 with Ranald house type
- Substitution of Mearnswood house type at Plots 1, 3, 8, 44 with Macrae house type (these plots will have detached garages containing ancillary accommodation above the garage area)

The houses to be substituted at the various plots are house types that are considered to be appropriate for this development and the changes are not considered to be significant when viewed in the context of the overall development.

The Council's Roads Service has confirmed that there are no objections to the application and that the conditions attached to 2011/0732/TP will still apply for the development of the site.

The Development Contributions and Affordable Housing Officer has confirmed that there are no objections to the application subject to the relevant conditions. The previous planning permission 2011/0732/TP is live with the previous conditions of the consent and associated Section 75 Agreement remaining in force.

A total of 31 representations have been received with comments focusing on flooding and drainage issues in an area designated as high risk by SEPA; the requirement for a Flood Risk Assessment; requirement for an Environmental Impact Assessment; requirement for a review of the Compensatory Flood Store; potential for collapse of retaining embankments; and rock blasting on site.

In response to these objections, it is noted that SEPA has recently changed their terminology in relation to the categorisation of potential flood areas on their new flood maps. A small section of this site at the north eastern corner is identified on the flood maps as having a high likelihood of surface water flooding. SEPA has made it clear on their own website that this change in terminology does not mean that properties are now subject to increased flood risk.

It is therefore considered that this change in terminology has no material effect on this application as all flooding matters were assessed during application 2011/0732/TP and the site was deemed to be capable of being developed, with the SUDS area and compensatory storage area providing adequate measures to deal with any flooding/drainage issues and also to control the outflow from the site.

As the site has been granted planning permission and is currently being constructed in accordance with application 2011/0732/TP, the discharge from the SUDS and compensatory flood store are as per the consented drawings and the Flood and Drainage Risk Assessment.

As a result, there is no requirement for a revised Flood Risk Assessment and the Council considers that any other issues raised in the objections that relate to flooding and drainage matters, such as the potential collapse of retaining embankments, are not material considerations in relation to the processing of this application and have been adequately addressed in application 2011/0732/TP.

A Screening Opinion was adopted when this planning application was submitted and after examining the proposed development in relation to the relevant criteria in the EIA Regulations and the advice given in Scottish Government Circular 3/2011, it was considered that the proposed substitution of house types did not require an Environmental Impact Assessment. It should be noted that a Screening Opinion was adopted for the previous application and also concluded that an EIA was not required.

Some initial rock blasting tests were carried out on site by the developer and it should be noted that it is the responsibility of the developer to ensure that any rock blasting is carried out safely and in accordance with the requirements of the Health and Safety Executive (HSE). These matters are not the responsibility of the Council. The applicant has confirmed that further rock blasting is not required on site as excavation of the site using standard machinery is considered to be the most effective method for developing the site.

Conclusion

As indicated above, this application is to substitute house types at plots 1 to 28 and 43 to 44. The principle of residential development at the site was established through its inclusion in the adopted East Renfrewshire Local Plan. In addition the erection of two storey houses throughout the site was established under planning permission 2011/0732/TP. There is therefore no requirement to re-assess the principle of the development or matters associated with the principle of the development. What is being assessed in this application are the changes between the two previous planning permissions and what is now being proposed by the new developer. Taking all of the above matters into account it is considered that the substitution of the house types now being proposed accords with the relevant policies of the adopted Local Plan and proposed Local Development Plan and is acceptable at this location. It is therefore recommended that the application is approved subject to conditions.

RECOMMENDATION: Approve subject to conditions

PLANNING OBLIGATIONS: None

CONDITIONS:

1. Samples of materials to be used on all external surfaces of the buildings and hard surfaces shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration).

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

2. Site 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).

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

3. For the avoidance of doubt the living accommodation above the detached garages in plots 1, 3, 8 and 44 shall be used solely as part of the existing dwellinghouse and at no time shall be occupied as a separate residential unit, without the benefit of planning permission.

Reason: These garages are considered inappropriate for an independent residential unit in addition to the main dwellinghouse as such development would be detrimental to the amenity of the area.

4. No activities in connection with construction (including deliveries and offloading) which are liable to cause disturbance to occupiers of nearby properties shall 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.

Reason: To protect the amenity of nearby residential properties.

5. Prior to the commencement of works on site details of a scheme for the transfer of the area of land outlined in blue and annotated " Affordable Housing Nett Area" (on the approved plan ARN-ARC/006 of planning permission 2011/0732/TP), together with all relevant services, (detailed (a) and (b) below) to a registered social landlord such as a housing association or other regulated housing body or the Council shall be submitted to, and approved in writing by the Head of Environment (Planning, Property and Regeneration). This scheme shall include a phasing arrangement in accordance with condition 3 below.

(a) any roads and footpaths constructed to the standard necessary for adoption by the Council as local roads authority as are needed to connect the boundary of the affordable housing zone to the public road network; and

(b) all related infrastructure needed to service the affordable Housing Zone (taking into account its proposed end use for affordable housing to meet varying needs standards) together with any required access rights for all relevant purposes relating to the proposed end use.

Reason: To ensure the provision of serviced land for affordable housing in accordance with the Council's Supplementary Planning Guidance on Affordable Housing.

6. The 14 units within the flatted block in the area of land outlined in blue and annotated " Affordable Housing Nett Area" on the approved plan (ARN-ARC/006 of planning permission 2011/0732/TP) shall be allocated for the provision of affordable housing as defined within the Council's Supplementary Planning Guidance on affordable housing and be managed locally by a registered social landlord such as a housing association or other housing body regulated by The Scottish Housing Regulator or the Council. Subject to other relevant legislation, the affordable housing shall be retained as such.

Reason: To ensure the provision of serviced land for affordable housing in accordance with the Council's Supplementary Planning Policy on affordable housing.

7. The development shall not proceed beyond the 27th market unit until the area of land outlined in blue and annotated "Affordable Housing Nett Area" (on the approved plan ARN-ARC/006 of planning permission 2011/0732/TP) has been transferred to the Council or a Registered Social Landlord. Details of the transfer, in accordance with the details to be approved in Condition 4 above, shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To ensure the provision of affordable housing in accordance with the Council's Supplementary Planning Guidance on Affordable Housing.

ADDITIONAL NOTES:

The developer is reminded that the Section 75 Legal Agreement associated with the original planning permission 2011/0732/TP remains in effect.

Conditions 4, 5 and 6 of the planning permission hereby approved have been attached to remind the developer of the requirement to provide affordable housing on site in accordance with the original planning permission 2011/0732/TP.

The applicant is required to comply with 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 which provide full protection for certain plant and animal special and European Protected Species. It is illegal to capture, kill, disturb any such animal, damage or destroy breeding or nesting sites or eggs or deliberately or recklessly pick, collect, cut, uproot or destroy European Protected Species of wild plant. In addition, where it is proposed to carry out works which will affect European Protected Special or their shelter/breeding places, a licence is required from the Scottish Executive. Further information on these matters can be sought at Scottish Executive Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh or from Scottish Natural Heritage.

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.

ADDED VALUE:

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Plan policies.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Jamie Gilliland on 0141 577 3057.

Ref. No.: 2014/0271/TP
(JAGI)

DATE: 6th August 2014

DIRECTOR OF ENVIRONMENT

2014/0271/TP - APPENDIX 1**DEVELOPMENT PLAN:****Strategic Development Plan**

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

East Renfrewshire Local Plan (Adopted 14th February 2011)

Policy E1

General Urban Areas

Within the general urban area, as shown on the Proposals Map, there will be a presumption against significant new development or change of use not compatible with the character and amenity of the locality and its surrounding land uses.

Proposal H1

New Housing Development

The Council supports the development of the sites listed below and shown on the Proposals Map which are allocated for predominantly private sector residential development.

All proposals will require to comply with the terms of Policy H3 on Affordable Housing, unless Planning Permission for private sector housing was granted before the introduction of the Affordable Housing policy in March 2006 and remains extant.

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

Proposals for new housing elsewhere will be positively considered where there is a demonstrable need and subject to compliance with Policy Strat 2 and the Council's Supplementary Planning Policy Guidance

Schedule H1

Ref	Location	Area (Ha)	Capacity
Newton Mearns H1.31	Ayr Road (Malletsheugh)	4.82	50 **

Notes -

Cap Capacities are notional other than where detailed Planning Permission has been granted.

** Other new sites brought forward through this Replacement Local Plan.

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 L5

Public Rights of Way

The Council will protect and keep open and free from obstruction the public Rights of Way identified on the Proposals Map.

Proposed Local Development Plan

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

Policy D2

General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Proposed 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 SG2 Distribution of New Housing

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

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.

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 D9

Protection of Outdoor Access

There will be a strong presumption against proposals which have an adverse impact upon outdoor access including core paths, rights of way as shown on the Proposals Map and Schedule 1 and other important access provision unless a satisfactory alternative route is provided.

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

GOVERNMENT GUIDANCE:

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.

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25 REPORT OF HANDLING

Reference: 2014/0334/TP

Date Registered: 20th May 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 2 -Barrhead

Co-ordinates: 249776/:658857

Applicant/Agent:

Applicant:

Agent:

Mr Campbell Park-Patterson

Bluestone Design

27 Cross Arthurlie Street

Barrhead

G78 1QY

Proposal:

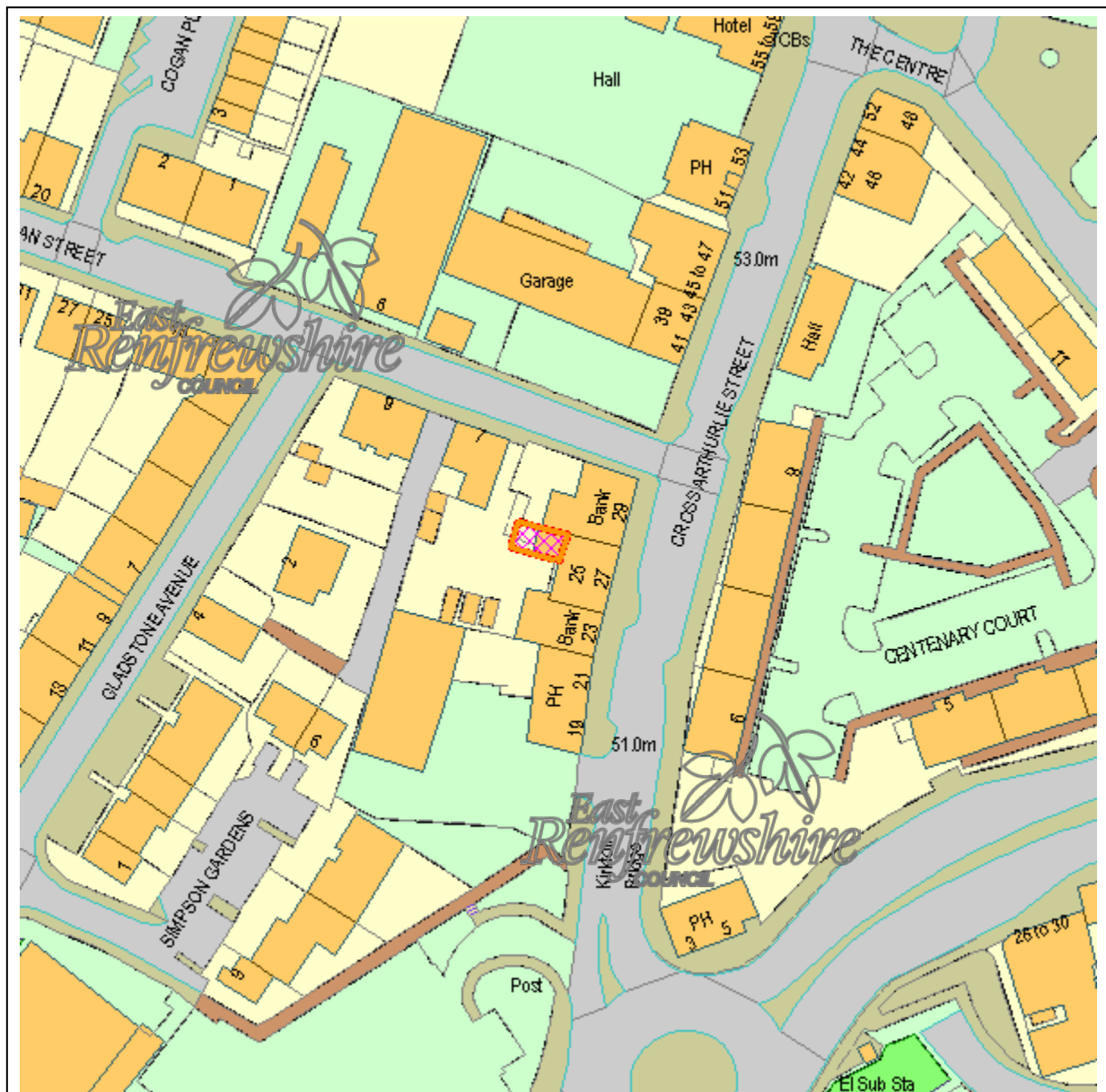
Formation of outdoor seating areas on raised terrace at rear

Location:

25 Cross Arthurlie Street

Barrhead

G78 1QY



DO NOT SCALE

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Environmental Health Service Recommend restrictions on hours of use to protect residents from noise nuisance

East Renfrewshire Council Roads And Transportation Service No objections from a road safety standpoint

PUBLICITY:

06.06.2014 Barrhead News Expiry date 20.06.2014

SITE NOTICES: None.

SITE HISTORY:

1998/0076/TP	Change of use from shop to hot food carry out	Refused	10.06.1998
2012/0685/ADV	Display of internally illuminated projecting sign	Approved subject to conditions	05.03.2013
2012/0215/TP	Change of use from residential to cafe on first floor with erection of raised platform/walkway at rear with external stairs	Approved subject to conditions	25.06.2012

REPRESENTATIONS:

A total of 17 representations have been received from:

Mr James Hairstans Flat 1-1 9 Cogan Street Barrhead East Renfrewshire
 G Bagan 7 Cogan Street Barrhead East Renfrewshire G78 1QS
 Mr James Campbell Flat 1-1 Cross Arthurlie House 2 Gladstone Avenue Barrhead East Renfrewshire G78 1QT
 Ms. Jennifer McCarthy Flat 5 3 Gladstone Avenue Barrhead East Renfrewshire
 Owner/Occupier Flat 6 3 Gladstone Avenue Barrhead East Renfrewshire
 Mr. Jamie Kerr Cross Arthurlie House 2 Gladstone Avenue Barrhead East Renfrewshire
 Mr. John Boyle 4 Gladstone Avenue Barrhead East Renfrewshire G78 1QT
 P. Bow Flat 1 1 Gladstone Avenue Barrhead East Renfrewshire
 Mr. J. Renfrew Flat 4 1 Gladstone Avenue Barrhead East Renfrewshire
 Ms. Natalie MacReadie Flat 1-2 1 Gladstone Avenue Barrhead East Renfrewshire
 Owner/Occupier Flat 3 5 Gladstone Avenue Barrhead East Renfrewshire
 C. McMillan Flat J 7 Gladstone Avenue Barrhead East Renfrewshire
 Owner/Occupier Flat 2 3 Gladstone Avenue Barrhead East Renfrewshire
 D.S. Crerar Flat 0/1 3 Gladstone Avenue Barrhead East Renfrewshire
 Mr. Allan Gilmour 15 Gladstone Avenue Barrhead East Renfrewshire G78 1QT

The representations can be summarised as follows:

Noise and disturbance
 Smells/cigarette smoke
 Additional traffic/inadequate parking
 Over provision of food outlets
 Overlooking
 Loss of amenity
 Health/safety issues
 Consideration of previous objections

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

This application is a Local development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However as there have been more than 10 representations the application has to be presented to the Planning Applications Committee for determination.

The site is located on the west side of Cross Arthurlie Street and is within the defined Barrhead Town Centre. The property is a two storey traditional building within a parade of retail/commercial units. There is a retail unit on the ground floor with a café on the upper floor served by a separate main door access. To the rear of the property and accessed at first floor level from the cafe, there is a raised platform with external stairs leading to the rear service/parking area which is accessed from Cogan Street. The adjoining properties are in commercial use.

Planning permission is being sought to use the rear platform as an outdoor seating area with an indicative plan proposing 6 tables and 12 covers. The café was approved in June 2012 under 2012/0215/TP and included the erection of a raised platform/walkway at the rear with external stairs. However this planning permission included a condition restricting the opening hours to 9.00am to 9.00pm Monday to Saturday and 10.00am to 9.00pm on a Sunday unless otherwise agreed in writing.

As previously stated, the site is within the defined Barrhead Town Centre. Policy S1 in the adopted Local Plan does not presume against non-retail uses which enhance and support the viability and vitality of the town centres. Outdoor seating has, over the years, become a common feature in town centres and given that the premises is a cafe, it is considered that the general principle of the development is acceptable and would not conflict with the aims and objectives of Policy S1. Being located within the Town Centre, the Council's Roads Service has no objections to the proposal from a road safety standpoint as it is expected that customers would use on-street parking. The rear service/parking area off Cogan Street is for staff parking and the Roads Service suggest that the applicant considers measures to hinder/deter customers from accessing the outdoor seating area from this area. It is considered that this matter can be addressed by a planning condition should the application be approved.

The rear service/parking area is within the General Urban Area as identified in the adopted Local Plan which in this locality, is predominately but not exclusively comprised of residential properties. Policies E1 and DM1(1) in the adopted Local Plan presume against significant proposals and changes of use which would not be compatible with the character and amenity of the locality and the surrounding land uses. It therefore has to be considered whether there will be a significant impact on residential amenity given the proximity to residential properties.

Residents living close to, or within, town and neighbourhood shopping centres will inevitably experience lower levels of amenity than exclusively residential areas. This does not however justify approving a proposal which could further reduce residential amenity to an unacceptable degree. The nearest residential property to the proposed outdoor seating area (approximately 8m away) is 7 Cogan Street which is a traditional two storey house with a single storey rear projection situated gable end onto the service lane and backing onto the rear yard. There are two door openings and a ground floor window opening in the gable facing the service lane and skylights on the rear elevation. The position of the house is such that there would not be direct overlooking or adverse impact on privacy of the occupants if there were customers on the platform/raised terrace. There could however be some noise nuisance. It is noted that the Council's Environmental Health Service while not objecting to the application, advise that consideration should be given to a restriction on opening hours. If there was significant noise and/or disturbance, this would be a matter for the Community Wardens/Police. The hours of use of the proposed outdoor seating area can be controlled by a planning condition.

On balance, it is considered that the proposal would not have significant adverse impacts on the amenity and privacy of nearby residential properties and would not, therefore conflict with Policies E1 and DM1(1).

In terms of material considerations, the proposed Local Development Plan (LDP) represents the current Council position in respect of the consideration of development proposals. The relevant LDP policies largely reflect the policies of the adopted Local Plan and do not raise any significant new issues.

The concerns of the representees are noted and have been addressed in the preceding paragraphs. It is noted that a number of representations have been received from residents in Gladstone Avenue which are more than 20m from the site. As a consequence it is not considered that they will be adversely affected by the proposal.

It is acknowledged that there were complaints last year regarding noise from musical instruments which was investigated at the time by the Council's Environmental Health Service. No new complaints have been received. Matters relating to, for example, health, safety, odours and fire issues are not material to the consideration of the planning application and are more appropriately dealt with under other legislation. Representations to the previous application are not taken into account in the determination of the current application which is considered on its own merits.

In conclusion it is considered that the proposal is acceptable at this town centre location and is complimentary to the function of the existing town centre uses and would not have a significant detrimental effect on the amenity and character of the area. It is recommended that the application be approved subject to conditions.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None

CONDITION(S):

1. The outdoor seating area hereby approved shall only be in use between the hours of 9.00am and 9.00pm Monday to Saturday and 10.00am and 9.00pm on a Sunday unless otherwise agreed in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To prevent noise nuisance to the surrounding area.

2. Prior to the outdoor seating area hereby approved being brought into use, details of the proposed table layout and number of covers shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter, the approved details shall be implemented in accordance with the approved scheme and shall not be altered without the prior approval in writing of the Head of Environment (Planning, Property and Regeneration).

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

3. Prior to the outdoor seating area hereby approved being brought into use details of measures to prevent customers parking in the yard at the rear of the premises and from accessing the outdoor seating area from the yard shall be submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter, the approved details shall be implemented in accordance with the approved scheme and shall not be altered without the prior approval in writing of the Head of Environment (Planning, Property and Regeneration).

Reason: To ensure the yard at the rear of the premises is not used for customer parking.

ADDITIONAL NOTES:

The applicant should consider measures to hinder customers from accessing the premises from the rear service yard.

The applicant is required to consult East Renfrewshire Council Protective Services regarding compliance with the provisions of the Health & Safety at Work Etc Act 1974 and the Food Safety Act 1990.

ADDED VALUE:

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Plan policies.

BACKGROUND PAPERS:

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

Ref. No.: 2014/0334/TP
(ALMI)

DATE: 6th August 2014

DIRECTOR OF ENVIRONMENT

Reference: 2014/0334/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

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

East Renfrewshire Local Plan (Adopted 14th February 2011)

Policy E1

General Urban Areas

Within the general urban area, as shown on the Proposals Map, there will be a presumption against significant new development or change of use not compatible with the character and amenity of the locality and its surrounding land uses.

Policy S1

Town and Neighbourhood Centres

The Town and Neighbourhood Centres (as identified on the Proposals Map and listed in Schedule S1) will be the focus for new retail, leisure, community and other relevant, complementary uses. New retail (class1) development will be expected to locate in the Town and Neighbourhood Centres. Retail and appropriate non-retail proposals which help to sustain and enhance the economic and community role of Centres and otherwise accord with the policies of this Local Plan, will also be encouraged. Housing and other appropriate uses above ground floor level will also be supported. Proposals for change of use away from retail within these centres require to comply with Policy S2 - "Protecting the Retail Function of the Town and Neighbourhood Centres".

All proposals require to comply with Policies Strat2, Assessment of Development Proposals and Policy DM1 - "Detailed Guidance for all Development".

Schedule S1

Town Centres

Ref.	Location
S1.1	Barrhead

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.

Proposed Local Development Plan

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

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 D2

General Urban Areas

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

Policy SG7

Town and Neighbourhood Centre Uses

The town and neighbourhood centres, as shown on the Proposals Map and listed in Schedule 14, will be the focus for new retail (Class 1 use), leisure, community and other relevant, complementary uses in accordance with the sequential approach to site selection. Proposals will be supported where of an appropriate scale and design quality, in order to contribute to the quality of the environment and the role and function of the centre.

Proposals for change of use away from retail within these centres require to comply with Policy SG9.

Proposals for new retail (Class 1 use) and leisure development outwith the town and neighbourhood centres will be assessed against Strategic Policy 2 and the following criteria:

- A sequential approach to site selection has been followed. Proposals must demonstrate why more sequentially preferable sites have been discounted as unsuitable or unavailable;
- There will be no significant individual or cumulative adverse impact on the vitality and viability of any town and neighbourhood centre;
- The proposal will help to meet identifiable qualitative and quantitative deficiencies in existing provision; and
- The proposal is of scale which is commensurate with the size of the local community.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Town Centres and Retailing indicates that town centres should be the primary focus for retail and commercial developments. Different types of retailing, which serve different purposes, should be developed in the most appropriate location. Retail and commercial developments should be focused in existing town centres before edge of town centre sites, other commercial centres or out-of-centre sites.