

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of special Meeting held at 4.00pm in the Council Chamber, Council Headquarters, Giffnock on 25 February 2015.

Present:

Councillor Kenny Hay (Chair)	Councillor Gordon McCaskill
Councillor Tony Buchanan	Councillor Stewart Miller
Provost Alastair Carmichael	Councillor Tommy Reilly
Councillor Jim Fletcher (Leader)	Councillor Ralph Robertson
Councillor Elaine Green	Councillor Jim Swift
Councillor Alan Lafferty	Councillor Vincent Waters
Councillor Ian McAlpine	

Councillor Hay in the Chair

Attending:

Lorraine McMillan, Chief Executive; Andy Cahill, Director of Environment; Iain Maclean, Head of Environment (Planning, Property & Regeneration); Gillian McCarney, Planning and Building Standards Manager; Sean McDaid and Graham Shankland, Principal Planners, Development Management; Ralston MacKenzie, Roads and Transportation Controller (Traffic); Eamonn Daly, Democratic Services Manager; and Paul O'Neil, Committee Services Officer.

Apologies:

Deputy Provost Betty Cunningham; Councillors Danny Devlin; Barbara Grant; Mary Montague; Paul O'Kane; and Gordon Wallace.

DECLARATIONS OF INTEREST

1434. There were no declarations of interest intimated.

PRE-DETERMINATION HEARING – ERECTION OF RETIREMENT RESIDENTIAL COMMUNITY 320 APARTMENTS (IN TOTAL), 66 BED CARE HOME AND MULTI-PURPOSE VILLAGE CENTRE THAT INCLUDES APARTMENTS AND RESIDENTIAL ROOMS WITH THE FORMATION OF A NEW ACCESS ROADS FROM AURS ROAD AT NETHERPLACE WORKS, 180 NETHERPLACE ROAD, NEWTON MEARNs (REF NO: 2014/0372/TP) BY WHITECRAIGS DEVELOPMENTS LTD

1435. The committee considered a report by the Director of Environment, on an application for planning permission for the proposed erection of a retirement residential community consisting of 320 apartments (in total), 66 bed care home and multi-purpose village centre

that included apartments and residential rooms with the formation of a new access road from Aurs Road at Netherplace Works, 180 Netherplace Road, Newton Mearns by Whitecraigs Developments Ltd (Ref.No.2014/0372/TP).

Mr Jewitt, Jewitt and Wilkie, Architects, and Mr Smith, TMS Planning Consultants, were present in support of the applicants.

The committee noted that a total of four interested parties had requested the opportunity to be heard in support of the representations they had submitted against the proposed development.

Whilst noting that the application was a 'Major Development' under the terms of the Town and Country Planning (Hierarchy of Developments)(Scotland) Regulations 2009, the report explained that Netherplace Works was identified in the adopted East Renfrewshire Local Plan to be retained for business/industrial purposes. It was noted that as the re-development of the site was for residential development and a care home it was therefore considered that the proposal was a significant departure from the development plan and therefore the application had to be the subject of a pre-determination hearing by the Planning Applications Committee before being determined by the full Council.

The Planning and Building Standards Manager reported that since the report had been circulated to the committee, a further 4 additional objections had been received from Councillors Gilbert and Grant, Mr Bryson McNeil, and Newton Mearns Community Council. She made also reference to the application site highlighting that it was a brownfield site located in the greenbelt in both the adopted East Renfrewshire Local Plan and the proposed Local Development Plan (LDP). Furthermore, the field to the north of the site where the access road was proposed to be constructed was in the greenbelt in both plans. She further reported the material considerations that had been taken into consideration in the assessment of the application.

In addition, whilst also noting that the proposed Local Development Plan (LDP) was the Council's updated policy position, the report indicated that policy SG6 of the proposed LDP indicated the Council would support a flexible approach to sustainable economic growth to meet the development needs of established and emerging employment sectors. Netherplace Works was one of the areas to be safeguarded for business and employment uses although there was an element of flexibility within Policy SG6 of the proposed LDP and it had to be considered how the development accorded with the criteria set out in Policy SG6(1) as detailed in the report.

The Planning and Building Standards Manager explained that during the consideration of the proposed LDP, the applicants had submitted a representation to the proposed LDP which sought to identify Netherplace Works as a business proposal suitable for redevelopment as a care home, retirement village and associated facilities as well as a brownfield opportunity site again suitable for re-use as a care home, retirement village and associated facilities.

However, the Scottish Government Reporter had stated in the proposed LDP Examination Report that the M77 acted as an obvious and defensible greenbelt boundary and to designate Netherplace Works as an enclave of non-greenbelt land would be somewhat incongruous and undermine the wider protective concept of the greenbelt. The Reporter also stated that examples of businesses operating from premises within the greenbelt were inevitable and this was acknowledged in Scottish Planning Policy. Furthermore, the Reporter stated that an example of development appropriate within a greenbelt included the intensification of established uses subject to new development being of a suitable case and form. The Reporter noted that this was the approach adopted by the Council in designating

the site under SG6.13 in Schedule 12, safeguarded business and employment areas, and SG6.22 in Schedule 13 under business proposals in the proposed LDP. On this basis, the re-designation of the site had not been supported by the proposed LDP Examination Report. Furthermore, neither had policy SG6 been reworded by the Reporter.

The Planning and Building Standards Manager stated that the Council had secured development contributions from the applicants and these would be delivered through a legal agreement. In particular, £53,800 had been secured for public facilities, £32,890 for the Dams to Darnley Country Park; £110,000 on access arrangements and £2,018,250 for affordable housing provision.

Concluding her remarks, the Planning and Building Standards Manager commented on the assessment of the application in the course of which she acknowledged that the site was in the greenbelt albeit it was considered to be a brownfield site. The committee was advised that the proposal was a departure from the adopted East Renfrewshire Local Plan as it was on land not specifically identified for residential development or a care home. However, having considered the proposal against Scottish Planning Policy and the relevant policies of the Development Plan, it was considered that the proposal accorded with some proposals while not according with others. When considering all the matters relevant to the application and balancing the proposal against the Development Plan and material planning considerations, it was considered that the development was acceptable at the location. On this basis, she indicated that it was recommended that the committee **recommend to the Council** that it was disposed to grant the application, subject to the:-

- (a) conditions detailed in the report; and
- (b) conclusion of a legal agreement relating to affordable housing contributions and developer contributions.

At this stage, Councillor Hay invited Mr Jewitt to make a submission to the committee in support of the application.

Mr Jewitt was heard in support of the application in the course of which he referred to the underprovision of housing for elderly in East Renfrewshire; that the proposed development would prevent the institutionalisation of the elderly; and represented a bespoke development which would provide security, open space and care arrangements for its residents. Furthermore, he highlighted that the proposed development would be car free and that the applicants proposed to operate a mini-bus service to transport residents to and from the development.

Concluding his remarks, Mr Jewitt commented on the range of leisure and recreational facilities that would be provided together with proposed visitor accommodation and the care options that would be put in place. He also highlighted that the applicants had addressed many of the concerns that had been expressed by the objectors and that the development would be the first bespoke accommodation proposal in Scotland; that it would reduce the burden placed on the Council in providing services to the elderly; and that it represented an investment of £60 million.

There followed a short question and answer session in the course of which Councillor Lafferty stated that he did not share Mr Jewitt's view about reducing the demand on services for the elderly and that in his opinion it would lead to an increase for services.

In reply, Mr Jewitt stated that the proposed development offered bespoke accommodation for the elderly and that it was anticipated that those buying accommodation at the retirement village would live in their homes for a significant period of time before moving into the care home.

Councillor Lafferty highlighted that the Community Health and Care Partnership had carried out its own assessment of the proposal and had concluded that there was no demand for the development in the course of which Councillor McAlpine expressed concerns about the concept of the proposal and the remote location of the development in Newton Mearns.

In reply Mr Jewitt stated that there were examples of similar developments operating most notably in America and England. He emphasised the level of capital funding that would be invested in the development and stressed the importance of identifying opportunities for development of the brownfield site at this location. Concluding his remarks, he stated that the main emphasis of the retirement village was providing security for its elderly residents.

Whilst noting the development contributions that had been secured by the Council, Councillor Green expressed concern that there were no development contributions for education. She suggested that more families would no doubt move into East Renfrewshire due to the fact that elderly residents would sell their homes to move to the proposed development resulting in more children requiring education.

In reply to a question by Councillor Swift about how many houses the Council expected to build with the affordable housing contribution of £2million that had been secured, the Planning and Building Standards Manager stated that it would be dependent on the need for that type of housing in a particular area in the course of which she indicated that there were various options open to the Council to use the money. Concluding her remarks, she stated that she did not have exact details of the numbers of houses that could be built in the course of which Councillor Swift suggested that potentially only 10 to 15 houses would be built.

At this stage, Councillor Hay invited the Planning and Building Standards Manager to respond to some of the issues that had been raised by members of the committee.

The Planning and Building Standards Manager began by responding to the terms of the CHCP objection highlighting that this only related to the care home and that it was difficult for officers to give consideration to issues such as those relating to the pressure on services to the elderly in the assessment of the application. She also explained that the Council's local plan policies would dictate where affordable housing was to be provided.

In response to Councillor Green's concerns about additional children moving into East Renfrewshire as result of houses being released for sale by those elderly residents moving to the proposed development and the need for those children to be educated, the Planning and Building Standards Manager stated that this was not a consideration for planning.

Councillor Fletcher was heard in support of the proposal in the course of which he sought clarification whether there was a market for this type of development.

In reply, Mr Jewitt stated there was given that similar models operated in England. He also responded to a question by Provost Carmichael about the likely cost of the apartments at the development in the course of which he advised that the average price for a two bedroom home would be in the region of £230,000-£250,000 and that in addition residents would pay a management charge of £100 per month. He also emphasised that should a resident wish to sell one of their homes it would be sold back to the management company rather than on the open market.

At this stage, Councillor Hay invited Mr Smith, TMS Planning Consultants to sum up on behalf of the applicant.

Mr Smith summarised the reasons why the application should be supported in the course of which he emphasised that the local development plan policies provided for this type of

development. He also indicated that it was anticipated that there would be a 60% increase in the elderly population in the future and the proposed development would offer a range of accommodation for them depending on their care needs.

Whilst responding to the objection submitted by the CHCP, Mr Smith stated that the proposed retirement village was designed to delay the need for residents to go into care given that the accommodation that would be offered would be tailored to meet the needs of a range of elderly people. He also highlighted that the site was in the greenbelt and the policies within the LDP, (i.e. SG6) supported the proposal. Concluding his remarks, he stated that the proposal represented a unique development that would cater for the needs of the ageing population in East Renfrewshire. Furthermore, the investment of £60 million would make a significant contribution to the local economy.

There followed a short question and answer session with officers in the course of which Councillor Robertson sought clarification about how many jobs the development would create and how many parking spaces would be available at the proposed site.

In reply, the Planning and Building Standards Manager stated that a total of 163 jobs both full and part-time would be created, 80 of which would be in the care home. She also stated that there would be a significant car parking provision at the site in the course of which the Roads and Transportation Controller (Traffic) stated that a total of 211 spaces would be provided.

Councillor Robertson stated that in his opinion, the car parking provision was insufficient for the size of the proposed development. In reply, the Roads and Transportation Controller (Traffic) explained how the number of car parking spaces was calculated in the course of which he indicated that the Council had requested a total of 208 parking spaces whereas the applicants proposed to provide 211. The total number of car parking spaces also included staff parking.

Councillor McCaskill noted that approximately 320 apartments were to be built and in terms of the Council's policy on Affordable Housing he calculated that a total of 80 houses should be built (i.e. 25% of total) and sought clarification whether this figure was definitive.

In reply, the Planning and Building Standards Manager stated that this would be up for negotiation in terms of the impact the development would have on the local area. She also emphasised that the affordable housing contribution that had been secured by the Council was calculated by the District Valuer.

Councillor McAlpine sought clarification whether the Council had attempted to get a business operating at the site given that the site was identified for this type of use in the local development plan. He was also concerned that should the application be approved this would open up other sites along the M77 for similar development.

Councillor Miller stated that the Scottish Government Reporter had rejected the applicants' representation to change the use of the site and sought clarification whether the site was large enough to accommodate the development. He also enquired why the site had been chosen when it was designated for business purposes.

In reply, the Planning and Building Standards Manager referred to the site history in the report highlighting that the existing buildings at the site were not fit for modern business use and there were also access problems. She also highlighted that the Council had approved the LDP in December 2012 and that the terms of policy SG6 referred to in the LDP provided details of the criterion that had to be met before a development was acceptable.

She also emphasised that the Reporter's decision had agreed with the Council insofar as policy SG6 provided flexibility in the assessment of applications. She also highlighted it was proposed to attach a condition regarding the operation of a mini bus service from the proposed development and provided the distances between the development Greenlaw and Mearns Cross.

In reply to a question by Councillor McAlpine, the Planning and Building Standards Manager stated that the site was the only brownfield site identified in the greenbelt on the west side of the M77 and that no precedent would be set should the committee approve the application.

Councillor Swift referred to the rejection of the developer's representation to change the use of the site and to the inadequate affordable housing provision that would arise from the development. In reply, the Planning and Building Standards Manager stated that the Scottish Government Reporter had not rejected the Council's position on the matter and that the provision of affordable housing provision was in line with the Council's approved policy and had been calculated by the District Valuer.

At this stage, Councillor Hay, seconded by Councillor Waters moved that it be recommended to the Council that the Council be disposed to grant the application, subject to the:-

- (a) conditions detailed in the report; and
- (b) conclusion of a legal agreement relating to affordable housing and developer contributions.

Councillor Swift, seconded by Councillor Miller, moved as amendment that it be recommended to the Council that the application be refused on the grounds that the proposed development was contrary to the policies of the Local Development Plan; that there would be limited affordable housing provision; and that the proposed access road was inadequate.

In terms of Standing Order 32(b) Councillors Swift, Miller and Robertson, requested a roll call vote.

On the roll being called, Provost Carmichael, and Councillors Buchanan, Fletcher, Green, Hay, McAlpine, McCaskill, Reilly and Waters voted for the motion.

Councillors Lafferty, Miller, Robertson and Swift voted for the amendment.

There having been 9 votes for the motion and 4 votes for the amendment, the motion was accordingly declared carried and it was agreed to **recommend to the Council** that the Council be disposed to grant the application, subject to the:-

- (a) conditions detailed in the report; and
- (b) conclusion of a legal agreement relating to affordable housing contributions and developer contributions.