

**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
10th June 2015

Reference No: 2014/0345/TP

Ward: 5

Applicant:

Ogden Renewables
14 Albany Street
Edinburgh
EH1 3QB

Agent:

Turley
80 St Vincent Street
Glasgow
G2 5UB

Site: Land to the south west of East Renfrewshire Golf Club, Mearns Law, Newton Mearns, East Renfrewshire, G77 6RT

Description: Erection of 50 metre high wind turbine (to hub height) with formation of access tracks and hardstanding

Reference No: 2014/0558/TP

Ward: 1

Applicant:

Harelaw Wind Turbine Ltd
15 Pitreave Court
Queensferry Road
Dunfermline
KY11 8UU

Agent:

Energised Environments Limited
7 Dundas Street
Edinburgh
EH3 6QG

Site: Site 120M south east of Commore Bridge, Kingston Road, Neilston, East Renfrewshire

Description: Erection of 50 metre high wind turbine (to hub height) with formation of access road and siting of control building

Reference No: 2014/0756/TP

Ward: 5

Applicant:

Intelligent Land Investments
The Shires
33 Bothwell Road
Hamilton
ML3 0AS

Agent:

LoganPM
12 Torphichen Street
Edinburgh
EH3 8JQ

Site: Barrance Hill adjacent to Greenhags Recycling Centre, Newton Mearns, East Renfrewshire

Description: Erection of 50 metre high wind turbine (to hub height) with siting of control room and formation of hard standing and access track

Reference No: 2015/0052/TP

Ward:

Applicant:

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

Agent:

PATS / East Renfrewshire Council
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
G46 8NG

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

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

Reference No: 2015/0127/TP

Ward: 3

Applicant:

David Lloyd Leisure
242 Netherton Road
Anniesland
Glasgow
G13 1BJ

Agent:

CBRE
Sutherland House
149 St. Vincent Street
Glasgow
G2 5NW

Site: Rouken Glen Golf Centre, 3 Stewarton Road, Thornliebank, East Renfrewshire, G46 7UZ

Description: Proposed demolition of existing golf centre and erection of health & fitness club incorporating 3 external tennis courts, external leisure pool, spa pool and sauna building, refurbished golf practice range and associated access, car parking and landscaping (major)

Reference No: 2015/0146/TP

Ward: 2

Applicant:

East Renfrewshire Council
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
East Renfrewshire
G46 8NG

Agent:

BDP Ltd
15 Exchange Place
Glasgow
G1 3AN

Site: Barrhead High School and the Johnny Kelly Pavilion, Aurs Road, Barrhead, East Renfrewshire

Description: Erection of replacement high school with associated parking, accesses and landscaping; formation of synthetic playing field and running track with erection of floodlights (major)

REPORT OF HANDLING

Reference: 2014/0345/TP

Date Registered: 10th July 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

Co-ordinates: 250773/:653244

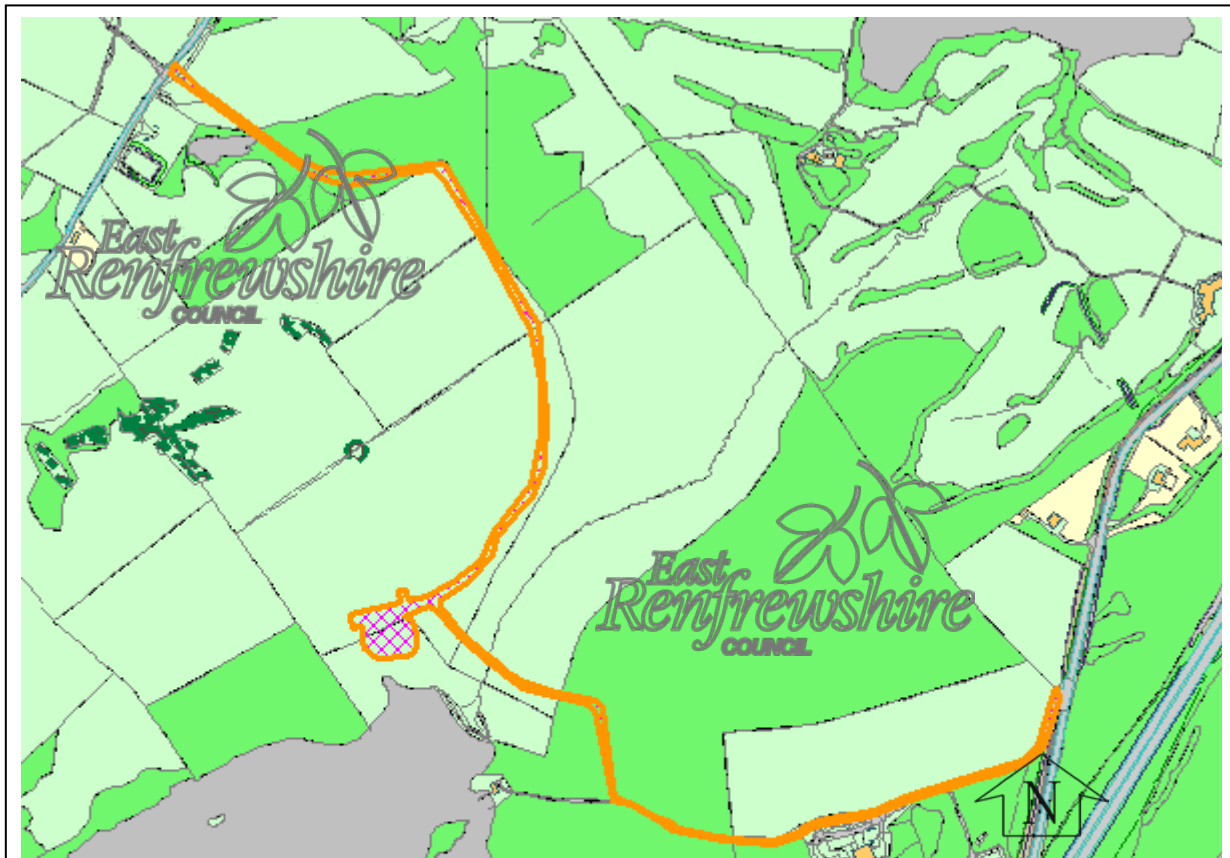
Applicant/Agent:

Applicant:
Ogden Renewables
14 Albany Street
Edinburgh
EH1 3QB

Agent:
Turley
80 St Vincent Street
Glasgow
G2 5UB

Proposal: Erection of 50 metre high wind turbine (to hub height) with formation of access tracks and hardstanding

Location: Land to the south west of East Renfrewshire Golf Club
Mearns Law
Newton Mearns
East Renfrewshire
G77 6RT



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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions
Ministry of Defence	No objection
Glasgow Prestwick Airport	No objection
National Air Traffic Service	Objects to application.
Glasgow Airport	Objects on aviation safety grounds and there are no technical mitigation measures that can be applied to this proposal.
East Renfrewshire Council Environmental Health Service	No objections subject to conditions
West Of Scotland Archaeology Service	Recommends archaeological watching brief condition.
East Renfrewshire Council Outdoor Access Officer	<p>The application boundary includes the creation of an access track running approximately north west from the junction with the access track to Brother Loch to the junction with the B 769. The track follows the route of recorded Right of Way SEA18 and adopted Core Path B13.</p> <p>To ensure that the right of way and core path are not obstructed the track should be accessible to the public.</p> <p>Details of arrangements facilitating public access on the track should be provided as part of the condition associated with granting of planning consent.</p>

PUBLICITY:

25.07.2014 Glasgow and Southside Extra Expiry date 08.08.2014

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS:

A total of 112 representations have been received of which 44 are objections and 68 are in support:

Representations can be summarised as follows:

Objections

Adverse visual impact/cumulative effect/dominant
Already enough turbines to meet government targets
In greenbelt/contrary to local plan/outwith board area of search for turbines
Adverse impact on SSSI
Benefit for golf club only
Set a precedent

Too many turbine sin East Renfrewshire already
Affect recreational use of Brother Loch
Noise
Flicker effect
Within 2km of housing
Affect natural heritage/wildlife/birds
Effect on dam wall
Lower power to benefit from feed-in tariffs
Impact on health
Adverse effect on wild land
Methane gas release if track disturbed
Reference to an appeal decision (Barrel Law)

In support

Revenue will secure future of golf course/golf course jobs/allow projects at golf course to be carried out
Positive effect on local economy
Turbine will have limited visual effect/not detract from landscape
Green/sustainable form of energy

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Noise Assessment	Assesses the potential noise impact on receptors/residential properties in the vicinity of the application site. Concludes that the turbine will meet acceptable noise levels and no significant cumulative effects are predicted.
Landscape and Visual Impact Assessment (including updated assessment)	Assesses the visual impact of the development on the site and surrounding area with selected viewpoints used to assess this impact. Concludes the landscape has the capacity to accommodate a further turbine which, at this size and scale, would not trigger significant landscape or cumulative landscape effects.
Planning Statement	Assesses the proposal against relevant national policies and local plan policies. Concludes the proposal is fully in accordance with adopted development plan policy and there is unequivocal policy support at all levels for this development.

ASSESSMENT:

This is a Local development under the Town and country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 because the generating capacity of the turbine does not exceed 20 megawatts. However the application is required to be presented to the Planning Applications Committee for determination as more than 10 objections have been received.

The site is in the Green Belt to the south-west of Newton Mearns to the west of the M77 and east of Stewarton Road on moorland. The site has been indicated as being land owned by East Renfrewshire Golf Course however it is approximately 670m to the south-west of the main golf course and approximately 140m north of Brother Loch. The turbine is to be on the south facing slope of Mearns Law that overlooks Brother Loch. The grid co-ordinates of the turbine have been indicated as 250770, 653240 and is approximately 226m Above Ordnance Datum (AOD).

It is proposed to erect a wind turbine 50m to hub height and 77m to blade tip with a generating capacity of 500kW. An area of hardstanding is to be laid adjacent to the turbine. Access tracks are to be formed with one over a length of approximately 720m from Stewarton Road and another over approximately 520m from the track running past Greenhags Recycling Centre. The

applicant's agent has indicated that the most appropriate route of these will be selected in due course. The operational lifetime of the turbine has been indicated as 25 years.

The nearest residential properties to the proposed turbine are located off Stewarton Road over 600m to the west. There are other residential properties to the east and south-east of the site over 900m away. A 15m high turbine (to hub) has been approved under 2012/0358/TP and installed approximately 760m to the south west. A windfarm is located to the west (known as Middleton Windfarm) containing six turbines 60m to hub and 100m to blade tip. The proposed turbine is approximately 1.5km to the east of the nearest turbine in this windfarm. It should be noted that a separate planning application has been applied for under 2014/0756/TP for a wind turbine at Barrance Hill approximately 350m to the east. This turbine is also to be 50m to hub height and 77m to blade tip. An application for a turbine 76m to hub height and 103m to blade tip (under 2014/0502/TP) had been applied for the site now applied for under 2014/0756/TP but was withdrawn by the applicant.

The application requires to be assessed against Scottish Planning Policy on Delivering Heat and Energy (SPP), Scottish Government advice for onshore wind turbines, the Glasgow and the Clyde Valley Strategic Development Plan (SDP), the adopted East Renfrewshire Local Plan and the proposed Local Development Plan (LDP).

Scottish Government Policy on Delivering Heat and Energy is contained in Scottish Planning Policy (SPP) and the current target is for 30% of Scotland's overall energy demand to be generated from renewable sources by 2020 with 100% of electricity demand from renewable sources by 2020. The SPP sets out guidance for the consideration of applications for a range of renewable energy proposals, including wind farms, and encourages the use of the development plans to support and encourage renewable technologies in appropriate locations. Further advice has been issued by the Scottish Government on the range of matters to be considered in determining applications for energy infrastructure developments. These matters include net economic impact; landscape and visual impacts; cumulative impacts; impacts on natural heritage; impact on communities; aviation matters; road traffic impacts, etc.

The site is located outwith the Broad Areas of Search for significant wind farms (that have a generating capacity in excess of 20MW) as identified in the Glasgow and Clyde Valley Strategic Development Plan (approved May 2012). Given the proposal is for one turbine outwith the search area, this is not considered to be an issue at the strategic level. Policy E15 of the adopted East Renfrewshire Local Plan indicates that the Council will generally support renewable energy proposals including wind turbine developments provided that it can be demonstrated that the environmental impacts of such proposals can be mitigated. The site is located in the Green Belt which is protected by the provisions of Policy E2. Policy DM3 indicates that sympathetic consideration will be given to proposals relating to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area provided the functions of the Green Belt can be maintained and the viability of important agricultural land is not prejudiced.

Policy E1 of the proposed Local Development Plan indicates general support for renewable energy infrastructure developments, including wind turbine developments. The assessment of applications for such energy infrastructure developments will be based on the principles of set out in Scottish Planning Policy (2014), in particular, the considerations set out at paragraph 169 and additionally, for onshore wind developments, the terms of Table 1: Spatial Frameworks. Where appropriate the applicant will be required to submit satisfactory mitigation measures to alleviate any adverse environmental impacts.

Policy E1 goes on to state the Council will prepare statutory supplementary guidance which accords with the Scottish Planning Policy (2014), and which contains the full spatial framework for onshore wind energy, sets policy considerations against which all proposals for renewable energy infrastructure developments will be assessed, and provides further detailed information and guidance on renewable energy technologies.

Policy D3 relates to the Green Belt and indicates the Council will give sympathetic consideration to a range of proposals, including for renewable energy, subject to compliance with other relevant policies of the LDP. Any decision will have to take into consideration the impact the proposals will

have on the function of the countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Although the site is in an area where support for renewable energy is indicated in general terms the relevant policies from the adopted Plan make it clear that adverse impacts are not to occur and the mitigation of environmental impacts needs to be demonstrated.

It is therefore considered that the main issues to be considered in this application is whether this is an appropriate location for this type of development and in particular taking into account the visual impact, the impact on landscape character and any other potential impacts, such as noise. The impact of the development on aviation and navigational radar is also of particular importance in determining this application.

The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with the application that considers the visual impact of the development within a radius of 15km from the site. Five viewpoints have been included in the Assessment (Dodside Road; Star and Garter; Pilmuir Holdings; M77/A77 north of Junction 6; and Duncarnoch Fort). The Zone of Theoretical Visibility of the proposed development is mainly in the areas to the north and north-east of the site and in the immediate vicinity of the site. The LVIA indicates that there will be significant visual effects from the chosen viewpoint on Dodside Road on residential receptors with no significant visual effects predicted from the other selected viewpoints.

An addendum to the LVIA has also been submitted to take into account the cumulative effect of the turbine that had been applied for under 2014/0502/TP. This addendum uses the same assessment methodology and viewpoints as the original LVIA. The addendum to the LVIA concludes that there will no significant cumulative visual effects for residential receptors from the Dodside Road viewpoint as the two turbines would read as part of the same development with their geographical extent localised, However the addendum to the LVIA indicates that there will now be significant cumulative visual impacts from the Star and Garter viewpoint. Since the addendum to the LVIA has been submitted for consideration, planning application 2014/0502/TP has been withdrawn by the applicant and a separate planning application has been submitted for consideration for a reduced turbine of 50m to hub height (2014/0756/TP). It is therefore not considered that the submitted addendum to the LVIA is required to be updated further to take account of the reduced size of the neighbouring turbine now applied for under 2014/0756/TP.

It is considered that the original LVIA and the addendum to the LVIA have been carried out to in accordance with accepted methodologies however their conclusion does not automatically render the development acceptable. Wind turbines can by their very nature be intrusive in the landscape as their locations are dictated by good wind exposure and there is very little mitigation possible because of the size and appearance of these structures. The proposed siting of the turbine will introduce a new vertical man made structure into this part of the landscape and an important consideration is whether the landscape has the capacity to accommodate the turbine without adverse impacts.

The site is located within and towards the north-west of a Plateau Moorland Landscape Character Type (LCT). This landscape character type is located in the south-east of East Renfrewshire and extends into South Lanarkshire and includes the landscape in which Whitelee Windfarm is located. This landscape character type comprises open moorlands rising to high points of between 250m AOD and 375m AOD. The key characteristics, features and qualities of this LCT are considered to be distinctive upland character created by the combination of elevation, exposure, smooth plateau landform, moorland vegetation and the predominant lack of modern development (with the exception of Whitelee Windfarm).

The Plateau Moorland is relatively remote and, although it contains few visual receptors, inter-visibility with adjacent landscapes is high. The landscape is large in scale but in the area to the west of the M77 it is more irregular in character in comparison to the smoother moorland of Whitelee Moor to the east. It is considered that the sensitivity to wind turbine development is greater in the western part of this LCT in which the application site is located.

There will also be a cumulative visual impact with the turbine applied for under 2014/0756/TP. It is considered that while turbines of different sizes may be accommodated in this LCT it is important to avoid confusion that arises from a range of sizes in the same area. As both turbines are now to be of the same size the potential confusion that could arise from two turbines of different sizes in close proximity to each other has been reduced. The same hub heights and rotor blade lengths does not now present a contrast between the two separate turbines that have been applied for.

The undulating landscape in the vicinity of the proposed turbine means that there will be topographical screening from certain locations/viewpoints whereas from other locations the proposed turbine will be readily visible. This is not unusual because the appearance of any turbine will depend on the position of the viewer and its impact/appearance will change from sequential viewpoints (ie when travelling along roads/routes) and the intervening topography.

Although the applicant considers the proposed turbine as being part of a landscape dominated by wind energy developments, and in their opinion the addition of another turbine will not lead to any unacceptable cumulative effects, this assertion is not agreed with. On the approaches from the south along the M77/A77 and Stewarton Road there is no visual connection to other windfarms in the area because of geographical separation and topographical screening. On the approach from the north along Stewarton Road the Middleton Windfarm is seen to the right of the proposed turbine and there is clear visual separation. In addition from this approach the turbine will be seen protruding above the crest of the hills with no backdrop behind. This emphasises the visual prominence of the proposed turbine. On the approach from the north along the A77 the proposed turbine will be very prominent especially in the area at the entrance to the Greenhags Recycling Centre. As a result of its proposed location there are no measures possible that could for instance screen the turbine from view to lessen its visual impact.

As a consequence the proposed location of the turbine combined with its height causes concern in terms of visual impact. The proposed turbine will also be visually dominant in close proximity to it. It should be noted that the proposed site is not in a very remote location with few visual receptors. There are heavily trafficked road routes in the vicinity of the site as well as recreational interests that include golf courses and angling at Brother Loch. As a result of the turbine being in very close proximity to Brother Loch it will be highly visible to anglers and therefore visually dominant.

The ancillary development of the hardstanding is considered to have a limited visual impact on the landscape. The access track (whichever route is chosen) will have visual impact however this is not considered to have a significant impact on the landscape.

Consultation responses

The consultation responses from the National Air Traffic Service (NATS) and Glasgow Airport are important material considerations in determining this application. Both have objected to the application on aviation safety reasons and Glasgow Airport in particular has stated that there is no technical mitigation possible. The applicant considers that there is a solution to address the objection from NATS and has suggested the use of a suspensive planning condition to require the submission of aviation mitigation measures for further approval. It should be noted that the policy position in relation to aviation safeguarding has changed with the adoption of the Local Development Plan. Policy DM6 of the adopted East Renfrewshire Local Plan indicated that proposals which interfere with visual and electronic navigational aids of airports will be resisted unless accompanied by appropriate mitigation measures.

However Policy D18 of the proposed Local Development Plan indicates proposals which interfere with visual and electronic navigational aids of airports will be resisted unless accompanied by agreed mitigation measures.

NATS has been asked to comment on this suggested use of a suspensive planning condition and a response has yet to be received as to whether they would accept such a condition should planning permission be approved. However it is considered that a theoretical solution to this issue does not mean that there is an actual mitigation solution and at this time there are no agreed mitigation measures submitted with the application.

The consultation response from Glasgow Airport states that there is no technical mitigation solution possible and this response in its own right means the proposal is contrary to Policy DM6 of the adopted Local Plan and Policy D18 of the proposed Local Development Plan. As a consequence this application cannot be supported because of the outstanding aviation objections.

Representations

In terms of the objections that have been received the following comments are made for the matters that have not already been addressed in the assessment above.

Flicker effect: Shadow flicker from turbine blades is not generally regarded as a problem at distances greater than 10 times the diameter of the blades (540 metres in this case) and outside an angle of 130° either side of north from the turbine. There are no buildings within that area of concern and as a consequence it is not considered that shadow flicker is an issue in this case.

Appeal decision: Reference has been made to a dismissed appeal at Barrel Law in the Scottish Borders that objectors consider is relevant to this application and in particular on the recreational use of Brother Loch. The Brother Loch Angling Syndicate has 36 members at present with a maximum capacity of 40. The fishing season runs all year. It should be noted that this appeal related to 8 turbines each of which were 80m to hub and 125m to blade tip. The appointed Reporter referred to the enjoyment by recreational users of a reservoir and its surrounding area being diminished. The Reporter did not consider that the appeal proposal as consistent with the local plan in terms of its unacceptable adverse impacts on the landscape as it would interfere with prominent skylines; would have significant adverse effects on recreational routes and important landscape viewpoints; and on aviation. There is a significant difference between the appeal decision and this application in terms of the number of turbines and larger turbines with the resultant greater visual impact on the landscape in question.

Government renewable energy targets already met: Reference has been made to comments by the appointed Reporter in the Barrel Law appeal decision regarding the limited contribution (0.15%) that proposal would make to Government renewable energy targets and that the weight that should be given to its contribution is not as great as it would have been with a larger shortfall against the target, or a lack of other wind turbine schemes. However it should be noted that the Reporter stated he accepted that the target is not a cap and any additional capacity will help to reduce the UK's carbon emissions. It is considered that the Government's targets from renewable energy are not a cap as there are ongoing and will be increased energy generation requirements in the future.

Already enough turbines in East Renfrewshire: One of the main issues in determining planning applications for wind turbines is whether the landscape can accommodate the proposal without resulting in significant adverse visual impacts. To refer to the total number of turbines is considered to be an over-simplification of the situation. Not all the turbines in East Renfrewshire can be viewed all at one time because of their different locations and the characteristics of the landscape.

In Greenbelt/Contrary to Local Plan/Outwith search area: The proposed turbine is located in the Green Belt and Policy E2 of the adopted Local Plan presumes against development within these areas except in relation to uses listed in Policy DM3. Renewable energy is one of the uses specified in Policy DM3. Policy E15 supports renewable energy proposals in appropriate locations and supports national and strategic plan guidance. The proposed LDP continues this policy position in Policies D3 and E1. Although the development is located in the Green Belt this policy designation does not preclude appropriate development from happening.

Adverse impact on SSSI: The Brother and Little Lochs Site of Special Scientific Interest (SSSI) is designated because it is a freshwater habitat. The proposed turbine is not in the SSSI and is therefore not considered to impact on the integrity of the SSSI.

Health problems: This is not considered to be a material planning consideration in determining this application.

Precedent: Any further turbine applications in this area will be assessed against the relevant development plan policies and material planning considerations if and when they are received. It is therefore not considered that the decision on this application will set a precedent for future applications.

Adverse effect on wild Land: There is no designated Wild Land in East Renfrewshire.

Lower power level to benefit from feed-in tariffs: This is not considered to be a material planning consideration in determining this application.

Noise: The Council's Environmental Health Service has been consulted on the application and has scrutinised the submitted noise information. Environmental Health has not raised any objections to the application in terms of noise generation.

Effect on dam wall: If the application was to be approved it is considered that a condition could be attached requiring the submission of a construction methodology statement for further written approval and for the methodology to include measures to protect the dam wall.

For benefit of golf club only: The golf club may receive income from the proposed turbine however this is not a material planning consideration in determining this application.

Proximity to housing (being contrary to Scottish Planning Policy): Scottish Planning Policy states that planning authorities should set out in the development plan a spatial framework for identifying those areas that are likely to be most appropriate for on-shore windfarms. The SPP indicates that development plans should indicate the minimum scale of on-shore wind development that their spatial framework is intended to apply to. In terms of community separation for consideration of visual impact Scottish Planning Policy indicates that an area not exceeding 2km around cities, towns and settlements is to be identified in the LDP with the extent of the area determined by the planning authority on landform and other features which restrict views out from the settlement. The proposed turbine is more than 2km from the boundary of existing settlements and is for a single turbine and not a windfarm.

Methane gas release: The details of the construction of the access track can be addressed by a planning condition should the development be approved. These details will have to take account of the underlying ground conditions.

In terms of the support that has been expressed for this development the majority relate to how revenue will be generated to support the future of the golf club. The support is noted however any arrangement that the golf club has with the turbine operator is a commercial decision between the two parties and is not a material planning consideration in determining this application.

Overall Conclusion

Although the proposed development may contribute to Scottish Government targets, albeit to a limited extent, it is not considered that this overrides the negative aspects of the development.

It is considered that the proposed turbine in its own right is visually dominant and there are no measures possible to mitigate/lessen this impact. It is also considered that there is an unacceptable cumulative visual impact with the turbine applied for under 2014/0756/TP.

In addition there are outstanding objections to the application from NATS and Glasgow Airport which mean that the application cannot be supported against Policies DM6 and D18.

It is therefore recommended that the application be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

1. The proposed wind turbine is contrary to Policy E15 of the adopted East Renfrewshire Local Plan and Policy E1 of proposed Local Development Plan as it would have an adverse visual impact on the site and surrounding area because of its location and visual prominence at this elevated hill side location and there are no mitigation measures possible.
2. The proposed wind turbine is contrary to Policies E15 and DM6 of the adopted East Renfrewshire Local Plan and Policy D18 of the proposed Local Development Plan as it will cause false primary plots to be generated on on-route navigational radar at Glasgow and Cumbernauld with an anticipated reduction in both radar's probability of detection for real aircraft.
3. The proposed wind turbine is contrary to Policies E15 and DM6 of the adopted East Renfrewshire Local Plan and Policy D18 of the proposed Local Development Plan as it will cause significant adverse impact on aviation operations at Glasgow Airport and there are no possible mitigation measures available.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

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

Ref. No.: 2014/0345/TP
(SEMC)

DATE: 3rd June 2015

DIRECTOR OF ENVIRONMENT

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2014/0345/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 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 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.

Conversion of Existing Buildings

Proposals to convert or rehabilitate existing redundant rural buildings for residential use will be considered favourably where it is clearly demonstrated that:

1. The building is surplus to requirements for agriculture or other rural uses.
2. The building is traditional and in a vernacular style.
3. The building is structurally sound, with the exterior walls intact, and is capable of modern use without substantial rebuilding or extension.
4. The alterations maintain the character of the building and any extension does not dominate the original building.

Outdoor Leisure Facilities

Proposals for new or extended outdoor leisure facilities will be considered favourably where it is clearly demonstrated that:

1. The emphasis is on outdoor pursuits and there are no suitable sites within the urban area.
2. Any ancillary buildings or other works, such as access and lighting, are absolutely required to serve the outdoor pursuit and do not significantly prejudice rural character and the environment.
3. Satisfactory environmental mitigation measures, including landscaping, are incorporated into the proposal.

New or Replacement Buildings

Where appropriate, other development proposals not mentioned above and including change of use, alterations and extensions to existing buildings, demolition, new or replacement buildings and proposals that support rural diversification or maintain or enhance the rural economy will be considered favourably where it is clearly demonstrated that:

1. The existing building is incapable of physical repair and re-use through the submission and verification of a thorough structural condition report.
2. There would be a resultant economic, environmental or community benefit from the proposal.
3. No suitable alternative site within the urban area exists.
4. The design, siting and scale of any buildings and associated works, including access, are sympathetic to rural amenity.
5. The level of traffic and any other disturbances resulting from the development, such as noise and light, do not prejudice rural character and the environment.
6. Satisfactory environmental mitigation measures, including landscaping, are incorporated into the proposal.
7. The new building or development 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 Dwellings". Other proposals may be acceptable where in accordance with policy Strat2.

Policy E15

Renewable Energy

The Council will generally support renewable energy proposals, including micro-renewable energy technologies on individual properties, wind turbine developments, hydro electric, bio-mass and energy from waste technologies in appropriate locations provided that it can be demonstrated that the environmental impacts of such proposals can be mitigated.

In relation to windfarms, the Council will assess all Planning Applications for such developments against the provisions of the consolidated Scottish Planning Policy, Structure Plan and any future guidance. Proposals for windfarm developments with an output over 20MW will in principle be supported in the Potential Areas of Search for Windfarms, identified in the Structure Plan and shown on the Proposals Map.

In assessing proposals for windfarms and other renewable energy schemes, the Council will have particular regard to the following issues:

* There is no adverse effect on landscape character and biodiversity.

- * Proposals would not cause unacceptable harm to features and areas of local, national and international importance for natural or historic conservation;
- * There is no adverse impact upon the setting of settlements, residential amenity, roads, tourism or recreational interests or telecommunications;
- * Any energy from waste facilities should be sited in accordance with the requirements of policy E13 - "Waste Management" and in proximity to the users of heat and power;
- * There is no adverse impact upon civil and military aviation operations;
- * Adequate measures are in place to mitigate any adverse impacts of windfarms on the local environment and communities
- * The cumulative effect of proposals with existing or permitted schemes are acceptable; and
- * Adequate measures are in place to secure the satisfactory removal of turbines and related infrastructure and restoration of the land following cessation of operation of the windfarm.

More detailed information and guidance will be included in Supplementary Planning Guidance (SPG) on Renewable Energy Developments to be prepared by the Council. This guidance will include a local, locational strategy for windfarms.

When considering proposals for renewable energy schemes in the Green Belt and Countryside Around Towns, the Council will take into consideration the Ayrshire and Clyde Valley Windfarm Landscape Capacity Study, commissioned by SNH, and the Council's own Green Belt Landscape Character Assessment along with the guidance contained in the consolidated Scottish Planning Policy and the advice given in PAN 45 - "Renewable Energy Technologies".

Within the Potential Areas for Search for Windfarms, the Council intends carrying out a more detailed landscape character assessment to help evaluate the impact of any future development proposals within this area.

In all circumstances the requirements of Policies Strat2 - "Assessment of Development Proposals", DM1 - "Detailed Guidance for all Development and DM3 - "Green Belt and Countryside Around Towns" will require to be satisfied.

The Council will prepare SPG on Renewable Energy in parallel with the LDP process during 2011. The revised search area boundaries illustrated in the emerging SDP for the Glasgow and Clyde Valley Area will be reflected within this SPG.

Proposed Local Development Plan

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

Policy D3 Green Belt and Countryside Around Towns

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

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

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

Policy E1
Renewable Energy

The Council will generally support renewable energy proposals, including micro-renewable energy technologies on individual properties, wind turbine developments, hydro electric, bio-mass and energy from waste technologies in appropriate locations. Where appropriate, the applicant will be required to submit satisfactory mitigation measures to alleviate any adverse environmental impacts.

Broad areas for search and the areas of potential constraint for renewable energy are shown on the Proposals Map and referred to in the Renewable Energy Supplementary Planning Guidance together with a range of criteria against which all applications will be considered.

Further detailed information and guidance is provided in the Renewable Energy Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Onshore Wind indicates that planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales, including extensions and re-powering. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and cumulative impacts. Individual properties and those settlements not identified within the development plan will be protected by the safeguards set out in the local development plan policy criteria for determining wind farms and the development management considerations accounted for when determining individual applications.

REPORT OF HANDLING

Reference: 2014/0558/TP

Date Registered: 26th August 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 Neilston Newton Mearns North Uplawmoor

Co-ordinates: 246316/:654171

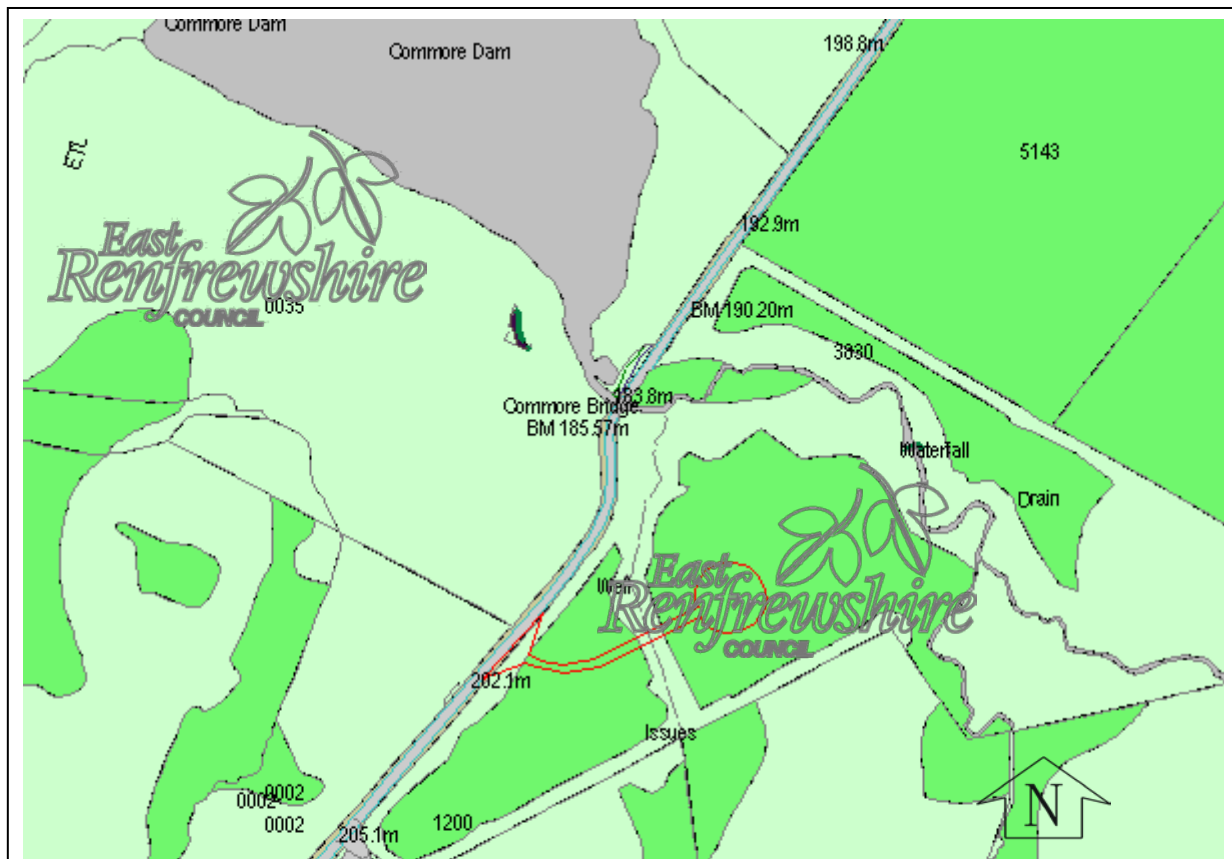
Applicant/Agent:

Applicant:
Harelaw Wind Turbine Ltd
15 Pitreave Court
Queensferry Road
Dunfermline
KY11 8UU

Agent:
Energised Environments Limited
7 Dundas Street
Edinburgh
EH3 6QG

Proposal: Erection of 50 metre high wind turbine (to hub height) with formation of access road and siting of control building

Location: Site 120M south east of Commore Bridge
Kingston Road
Neilston
East Renfrewshire



DO NOT SCALE

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions
Ministry Of Defence	No objection
Glasgow Prestwick Airport	No objection
National Air Traffic Service	No objection
Neilston Community Council	Objects to the proposal
East Renfrewshire Council Environmental Health Service	No objection subject to conditions
West Of Scotland Archaeology Service	Recommends archaeological condition
Forestry Commission	Object to the loss of woodland
Uplawmoor Community Council	Objects to the proposal
Glasgow Airport	No objection

PUBLICITY:

12.09.2014 Barrhead News Expiry date 26.09.2014

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS:

A total of 14 representations have been received:
Representations can be summarised as follows:

Overprovision of turbines in area
Accuracy of submission
Visual impact
Noise impact
Loss of wildlife
Lighting
Micrositing
Shadow flicker
Tree loss
Private water supply.
Archaeological resource disruption
Lack of restoration bond.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Planning Statement Considers the development against national and local planning policies as well as material planning considerations. Concludes the proposed development is considered to comply with the provisions of the Development Plan, and to draw support from other material planning considerations.

Environmental
Supporting Statement

This Report has been submitted in support of the application. It addresses a number of considerations that could be affected by the development including landscape and visual impact, noise impacts, cultural heritage, aviation, ecology, etc. Concludes the development will not have significant impacts on the various matters covered in the Statement.

ASSESSMENT:

This is a Local development under the Town and country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 because the generating capacity of the turbine does not exceed 20 megawatts. However the application is required to be presented to the Planning Applications Committee for determination as more than 10 objections have been received.

This application involves the siting of a wind turbine at Harelaw Wood in the Green Belt to the south-west of Neilston. It is proposed to erect a wind turbine 50m to hub height and 77m to blade tip. The turbine is indicated as having a generating capacity of approximately 500kW. The site of the turbine is approximately 85m east of Kingston Road in the environs of Harelaw Wood. Access to the site is indicated as being taken from Kingston Road with a new access track being formed to the turbine over a length of approximately 150m. There is also to be a control building adjacent to the turbine.

The turbine will be sited in an area of undulating countryside that is currently afforested. There is to be approximately 1.6 hectares of forest felled to accommodate the development from a plantation area that extends to approximately ten times that area. The immediate surrounding fields are similarly used as a forestry resource or for agriculture. The closest residential property is at Nether Carswell Farm approximately 600m to the south. Commore Farm to the north and Harelaw Farm to the east are respectively 610m and 660m away.

An electricity pylon is located approximately 100m to the west of the turbine site, with further pylons to the north east and south west.

There are other wind turbines in the surrounding area including the Neilston Community Windfarm on the west side of Kingston Road. There is also another individual wind turbine broadly similar in height to that proposed located on the east side of the Kingston Road but further south (at Carswell Farm) and a further 50m (high hub height) turbine approx 1.2km closer to Neilston on the west side of Kingston Road(at Neilstonside Farm).

The application requires to be assessed against Scottish Planning Policy on Delivering Heat and Energy (SPP), Scottish Government advice for onshore wind turbines, the Glasgow and the Clyde Valley Strategic Development Plan (SDP), the adopted East Renfrewshire Local Plan and the proposed Local Development Plan (LDP).

Scottish Government Policy on Delivering Heat and Energy is contained in Scottish Planning Policy (SPP) and the current target is for 30% of Scotland's overall energy demand to be generated from renewable sources by 2020 with 100% of electricity demand from renewable sources by 2020. The SPP sets out guidance for the consideration of applications for a range of renewable energy proposals, including wind farms, and encourages the use of the development plans to support and encourage renewable technologies in appropriate locations. Further advice has been issued by the Scottish Government on the range of matters to be considered in determining applications for energy infrastructure developments. These matters include net economic impact; landscape and visual impacts; cumulative impacts; impacts on natural heritage; impact on communities; aviation matters; road traffic impacts, etc.

The site is located in the Broad Areas of Search for significant wind farms (that have a generating capacity in excess of 20MW) as identified in the Glasgow and Clyde Valley Strategic Development Plan (approved May 2012). Given the proposal is for one turbine in the search area, this is not considered to be an issue at the strategic level. Policy E15 of the adopted East Renfrewshire Local Plan indicates that the Council will generally support renewable energy proposals including wind turbine developments provided that it can be demonstrated that the environmental impacts of

such proposals can be mitigated. The site is located in the Green Belt which is protected by the provisions of Policy E2. Policy DM3 indicates that sympathetic consideration will be given to proposals relating to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area provided the functions of the Green Belt can be maintained and the viability of important agricultural land is not prejudiced.

Policy E1 of the proposed Local Development Plan indicates general support for renewable energy infrastructure developments, including wind turbine developments. The assessment of applications for such energy infrastructure developments will be based on the principles of set out in Scottish Planning Policy (2014), in particular, the considerations set out at paragraph 169 and additionally, for onshore wind developments, the terms of Table 1: Spatial Frameworks. Where appropriate the applicant will be required to submit satisfactory mitigation measures to alleviate any adverse environmental impacts.

Policy E1 goes on to state the Council will prepare statutory supplementary guidance which accords with the Scottish Planning Policy (2014), and which contains the full spatial framework for onshore wind energy, sets policy considerations against which all proposals for renewable energy infrastructure developments will be assessed, and provides further detailed information and guidance on renewable energy technologies.

Policy D3 relates to the Green Belt and indicates the Council will give sympathetic consideration to a range of proposals, including for renewable energy, subject to compliance with other relevant policies of the LDP. Any decision will have to take into consideration the impact the proposals will have on the function of the countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Although the site is in an area where support for renewable energy is indicated in general terms the relevant policies from the adopted Plan make it clear that adverse impacts are not to occur and the mitigation of environmental impacts needs to be demonstrated.

It is therefore considered that the main issues to be considered in this application is whether this is an appropriate location for this type of development and in particular taking into account the visual impact, the impact on landscape character and any other potential impacts, such as noise.

The site is located within a Rugged Upland Farmland Landscape Character Type (LCT). This landscape character type is located on the north and south of the Levern Valley and includes the upland fringes either side of Neilston and Uplawmoor and extends into Renfrewshire. This landscape character type comprises rugged, hummocky landforms and craggy bluffs.

The key characteristics, features and qualities of this LCT are considered to be rugged landform comprising rocky bluffs and shallow troughs with pastoral farming dominating. It is considered that this LCT has moderate to lower capacity for wind energy development at small or small-medium scales, with limited capacity for medium or large development and no capacity for very large turbines. It is considered that there is capacity in this landscape for this medium scale turbine.

The application site is from certain aspects within or adjacent to the existing turbines in the immediate locality. The existing turbines have an influence on the landscape however it is considered that the proposed turbine would be viewed in this context and that the landscape has the capacity to accommodate this particular turbine without significant adverse visual impacts.

In terms of consultations the MOD, Glasgow Airport, Prestwick Airport and NATS have no objections to the development.

The Council's Environmental Health and Roads Services have no objections to the proposal subject to relevant conditions and are satisfied with the estimated noise impact calculations provided by the applicant. However mindful of the extreme but potential scenario that the cumulative noise impact could approach acceptable levels for local residential properties they have recommended an adapted conditional approach to secure an appropriate monitoring of the noise emission generated by the proposed turbine.

West of Scotland Archaeological Service has also not objected to the proposal but recommended the attachment of a condition to secure a programme of archaeological investigation. This can be addressed by a planning condition should the development be approved.

The Forestry Commission for Scotland has confirmed an objection to the proposal on the grounds of loss of existing trees. They have advised that if the developer provides a compensatory package of planting their objection can be removed. Scottish Planning Policy does not expressly identify loss of woodland as a consideration in assessing applications for wind turbines. The applicant has been made aware of this and has agreed to undertake new planting. This is a matter that the applicant and the Forestry Commission need to agree between themselves.

Representations

In terms of the objections that have been received the following comments are made for the matters that have not already been addressed in the assessment above.

Overprovision of turbines in area: One of the main issues in determining planning applications for wind turbines is whether the landscape can accommodate the proposal without resulting in significant adverse visual impacts. To refer to the total number of turbines is considered to be an over-simplification of the situation. Not all the turbines in East Renfrewshire can be viewed all at one time because of their different locations and the characteristics of the landscape. As indicated in the assessment above it is considered that the landscape is capable of accommodating this turbine.

General comment on the currency and scope of the submission including the environmental information: Reference has been made to smaller scale turbines (under 25m in height) not being included in the landscape and visual information. It is not considered that the inclusion of such turbines is fundamental to the determination of this application.

Noise: The noise assessment has been examined by the Council's Environmental Health Service and conditions have been recommended to reduce any noise impact on any nearby dwellings

Loss of wildlife: As with any proposal of this nature the development will have habitat impact however the site is not within area identified as having significant species. It is not considered that the development will have a significant impact on wildlife/habits. The statement in support of the application confirms the measures for managing this issue before and during construction.

Lighting: Comments have been made in respect of distraction from lights fitted atop turbines. The lights are a requirement for aviation safety and must comply with CAA guidelines. Glasgow Airport has indicated to the Planning Service that fitting shields or changing the lights to infrared would not be acceptable.

Micrositing: Micro-siting is the practice of moving a turbine on site due to the discovery of new or unanticipated ground conditions. Occasionally depending on the scale of the development and its context moving a turbine is permitted by a planning condition. Although there is reference to preferred 50m micrositing provision in the supporting information it is not East Renfrewshire Council's practice to use these conditions. Should the turbine need to be re-positioned the applicant will have to advise the Council's Planning Service to determine what further permissions may be required.

Shadow flicker: Shadow flicker from turbine blades is not generally regarded as a problem at distances greater than 10 times the diameter of the blades and outside an angle of 130° either side of north from the turbine. There are no buildings within that area of concern and as a consequence it is not considered that shadow flicker is an issue in this case.

Private water supply: No private water supplies have been identified within 250m from the site. The Council's Environmental Health Service has advised that the nearest private supply is 400m away at Nether Carswell Cottage. Therefore it is not anticipated to be an issue. Construction work will be undertaken in accordance with SEPA regulations and this should further ensure any contamination risk is minimised.

Tree loss: It is acknowledged that trees are to be removed to accommodate the development however this is not considered to be a material consideration in determining this application. The trees are part of commercial plantation and are scheduled to be felled in three years time.

Lack of restoration bond: It is not established policy to seek such bond for developments of this scale.

Overall conclusion

The proposed development may contribute to Scottish Government targets, albeit to a limited extent. It is acknowledged that the turbine will have visual impacts however the turbine has to be viewed in the context of a landscape that has other turbines and is influenced by them. The turbine can be erected on the proposed site without detriment to the landscape value of the area and any potential noise issues can be addressed by the provisions of appropriate conditions

However on balance it is considered that the turbine accords with the relevant adopted Local Plan and proposed Local Development Plan policies. It is therefore recommended that the application is approved subject to conditions.

RECOMMENDATION: Approve subject to conditions

PLANNING OBLIGATIONS: None

CONDITION(S):

1. At wind speeds not exceeding 10m/s, measured or calculated at a height of 10m above ground level, the aggregate [i.e. cumulative noise from the proposed turbine plus others operational and in planning as at the date of consent] wind turbine sound pressure level shall not exceed:
 - During Night Hours, 38dB LA90,10min or the Night Hours LA90,10min background noise level plus 5dB(A), whichever is the greater.
 - During Daytime Hours, 35dB LA90,10min or the Daytime Hours LA90,10min background noise level plus 5dB(A), whichever is the greater.
 - The applicable noise limit for dwellings with a financial interest in the wind turbine development is 45dB LA90, 10min or the background noise level plus 5dB(A) at all times (again, for consistency with ETSU-R-97,

This condition shall apply at any point within 15m from any dwelling which does not have a financial interest in the wind turbine development or for daytime levels and at the façade of the dwelling for night-time levels. "Night Hours" means 23:00 – 07:00 hours on all days. "Daytime Hours" means 07:00 – 23:00 hours on all days.

Reason: To prevent noise nuisance to the surrounding area.

2. The wind turbine operator shall log wind speed and wind direction data continuously and shall retain the data, which has been obtained for a period of no less than the previous 18 months. The data shall include the average wind speed (in m/s) for each 10 minute period. The measuring periods shall be set to commence on the hour and in 10 minute increments thereafter. The wind speed data shall be made available to the Head of Environment (Planning, Property & Regeneration) on request. The data shall be provided on a Microsoft Excel spreadsheet in electronic format or other format agreed with the Head of Environment (Planning, Property & Regeneration). The wind speed shall be measured at a height of 10m, or derived and normalised to 10m height.

Reason: In the interests of retaining a level of control over any changes in the noise from the wind farm, or any differences in the actual noise from the projected noise from the site.

3. The wind turbine operator shall measure, at his own expense, the level of noise emissions from the wind turbine within the first year of the operation of the turbines, and every two years thereafter. The noise emissions shall be measured at selected residential receptors submitted to and agreed in writing with the Head of Environment (Planning, Property & Regeneration). The frequency of measurement of the level of noise emissions will be subject to review every 2 years by the Head of Environment (Planning, Property & Regeneration). The results of any measurement exercise shall be forwarded to the Head of Environment (Planning, Property & Regeneration) as soon as is practicable, and should it be found that the noise levels referred to in condition 1 above are exceeded the wind turbine operator shall take steps forthwith to ensure that noise emissions from the wind farm are reduced to, or below the prescribed noise levels.

Reason: In the interests of retaining a level of control over any changes in the noise from the wind turbine, or any differences in the actual noise from the projected noise from the site.

4. If the tonal noise emitted by the development exceeds the threshold of audibility by 6.5dB or more, then the acceptable noise level shall be reduced by 5dB, always providing that the definition of audibility for the purposes of this condition shall be as described in 'The Assessment and rating of Noise from Wind Turbines (ETSU-R-97)'.

Reason: To prevent noise nuisance to the surrounding area.

- .5. Following a complaint regarding noise from the turbines being received, the operator shall appoint a suitably experienced and qualified independent third party to assess the noise levels and to provide a written report to the Head of Environment (Planning, Property & Regeneration). The operator may then be required to adopt appropriate noise mitigation measures.

Reason: To prevent noise nuisance to the surrounding area.

6. Development shall not commence until details of the access to the public road has been submitted and approved in writing by the Head of Environment (Planning, Property & Regeneration). The details to be submitted shall provide sightlines of 2.5 metres x 215 metres in both directions at the proposed junction and include a cross section of the proposed connection of the access to the public road as well as details of the gradient, gates and drainage. Thereafter the access shall be implemented as agreed.

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

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

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

8. Any site clearance works shall be undertaken outwith the bird breeding season of March to mid-August inclusive. Where this is not operationally possible, all such works should be preceded by a survey by a suitably qualified ecologist to establish whether nests are present and the survey results submitted for the approval of the Head of Environment

(Planning, Property and Regeneration) in consultation with Scottish Natural Heritage. If breeding birds are found steps must be taken to avoid an offence under the Nature Conservation (Scotland) Act 2004.

Reason: To avoid disturbance to breeding birds.

9. Development shall not commence until details of the control building and its siting have been submitted and approved in writing by the Head of Environment (Planning, Property & Regeneration). Thereafter the building will be constructed in accordance with the agreed details.

Reason: To ensure the control building is acceptable in appearance.

ADDITIONAL NOTES:

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 Species or their shelter/breeding places, a licence is required from the Scottish Government. Further information on these matters can be sought at Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh or from Scottish Natural Heritage.

ADDED VALUE:

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

BACKGROUND PAPERS:

Any background papers referred to in this report can be viewed at www.ercplanning.eastrenfrewshire.gov.uk/eplanning, where you can enter the Reference Number listed below. Any further information can be obtained from Mr Ian Walker on 0141 577 3042.

Ref. No.: 2014/0558/TP
(IAWA)

DATE: 3rd June 2015

DIRECTOR OF ENVIRONMENT

2014/0558/TP - APPENDIX 1

DEVELOPMENT PLAN:

Strategic Development Plan

Reference: 2014/0558/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 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 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.

Conversion of Existing Buildings

Proposals to convert or rehabilitate existing redundant rural buildings for residential use will be considered favourably where it is clearly demonstrated that:

1. The building is surplus to requirements for agriculture or other rural uses.

2. The building is traditional and in a vernacular style.
3. The building is structurally sound, with the exterior walls intact, and is capable of modern use without substantial rebuilding or extension.
4. The alterations maintain the character of the building and any extension does not dominate the original building.

Outdoor Leisure Facilities

Proposals for new or extended outdoor leisure facilities will be considered favourably where it is clearly demonstrated that:

1. The emphasis is on outdoor pursuits and there are no suitable sites within the urban area.
2. Any ancillary buildings or other works, such as access and lighting, are absolutely required to serve the outdoor pursuit and do not significantly prejudice rural character and the environment.
3. Satisfactory environmental mitigation measures, including landscaping, are incorporated into the proposal.

New or Replacement Buildings

Where appropriate, other development proposals not mentioned above and including change of use, alterations and extensions to existing buildings, demolition, new or replacement buildings and proposals that support rural diversification or maintain or enhance the rural economy will be considered favourably where it is clearly demonstrated that:

1. The existing building is incapable of physical repair and re-use through the submission and verification of a thorough structural condition report.
2. There would be a resultant economic, environmental or community benefit from the proposal.
3. No suitable alternative site within the urban area exists.
4. The design, siting and scale of any buildings and associated works, including access, are sympathetic to rural amenity.
5. The level of traffic and any other disturbances resulting from the development, such as noise and light, do not prejudice rural character and the environment.
6. Satisfactory environmental mitigation measures, including landscaping, are incorporated into the proposal.
7. The new building or development 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 Dwellings". Other proposals may be acceptable where in accordance with policy Strat2.

Policy E15

Renewable Energy

The Council will generally support renewable energy proposals, including micro-renewable energy technologies on individual properties, wind turbine developments, hydro electric, bio-mass and energy from waste technologies in appropriate locations provided that it can be demonstrated that the environmental impacts of such proposals can be mitigated.

In relation to windfarms, the Council will assess all Planning Applications for such developments against the provisions of the consolidated Scottish Planning Policy, Structure Plan and any future guidance. Proposals for windfarm developments with an output over 20MW will in principle be supported in the Potential Areas of Search for Windfarms, identified in the Structure Plan and shown on the Proposals Map.

In assessing proposals for windfarms and other renewable energy schemes, the Council will have particular regard to the following issues:

- * There is no adverse effect on landscape character and biodiversity.
- * Proposals would not cause unacceptable harm to features and areas of local, national and international importance for natural or historic conservation;
- * There is no adverse impact upon the setting of settlements, residential amenity, roads, tourism or recreational interests or telecommunications;
- * Any energy from waste facilities should be sited in accordance with the requirements of policy E13 - "Waste Management" and in proximity to the users of heat and power;
- * There is no adverse impact upon civil and military aviation operations;
- * Adequate measures are in place to mitigate any adverse impacts of windfarms on the local environment and communities
- * The cumulative effect of proposals with existing or permitted schemes are acceptable; and
- * Adequate measures are in place to secure the satisfactory removal of turbines and related infrastructure and restoration of the land following cessation of operation of the windfarm.

More detailed information and guidance will be included in Supplementary Planning Guidance (SPG) on Renewable Energy Developments to be prepared by the Council. This guidance will include a local, locational strategy for windfarms.

When considering proposals for renewable energy schemes in the Green Belt and Countryside Around Towns, the Council will take into consideration the Ayrshire and Clyde Valley Windfarm Landscape Capacity Study, commissioned by SNH, and the Council's own Green Belt Landscape Character Assessment along with the guidance contained in the consolidated Scottish Planning Policy and the advice given in PAN 45 - "Renewable Energy Technologies".

Within the Potential Areas for Search for Windfarms, the Council intends carrying out a more detailed landscape character assessment to help evaluate the impact of any future development proposals within this area.

In all circumstances the requirements of Policies Strat2 - "Assessment of Development Proposals", DM1 - "Detailed Guidance for all Development and DM3 - "Green Belt and Countryside Around Towns" will require to be satisfied.

The Council will prepare SPG on Renewable Energy in parallel with the LDP process during 2011. The revised search area boundaries illustrated in the emerging SDP for the Glasgow and Clyde Valley Area will be reflected within this SPG.

Proposed Local Development Plan

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

Policy D3 Green Belt and Countryside Around Towns

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

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

agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

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

Policy E1 Renewable Energy

The Council will generally support renewable energy proposals, including micro-renewable energy technologies on individual properties, wind turbine developments, hydro electric, bio-mass and energy from waste technologies in appropriate locations. Where appropriate, the applicant will be required to submit satisfactory mitigation measures to alleviate any adverse environmental impacts.

Broad areas for search and the areas of potential constraint for renewable energy are shown on the Proposals Map and referred to in the Renewable Energy Supplementary Planning Guidance together with a range of criteria against which all applications will be considered.

Further detailed information and guidance is provided in the Renewable Energy Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Onshore Wind indicates that planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales, including extensions and re-powering. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and cumulative impacts. Individual properties and those settlements not identified within the development plan will be protected by the safeguards set out in the local development plan policy criteria for determining wind farms and the development management considerations accounted for when determining individual applications.

REPORT OF HANDLING

Reference: 2014/0756/TP

Date Registered: 25th November 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

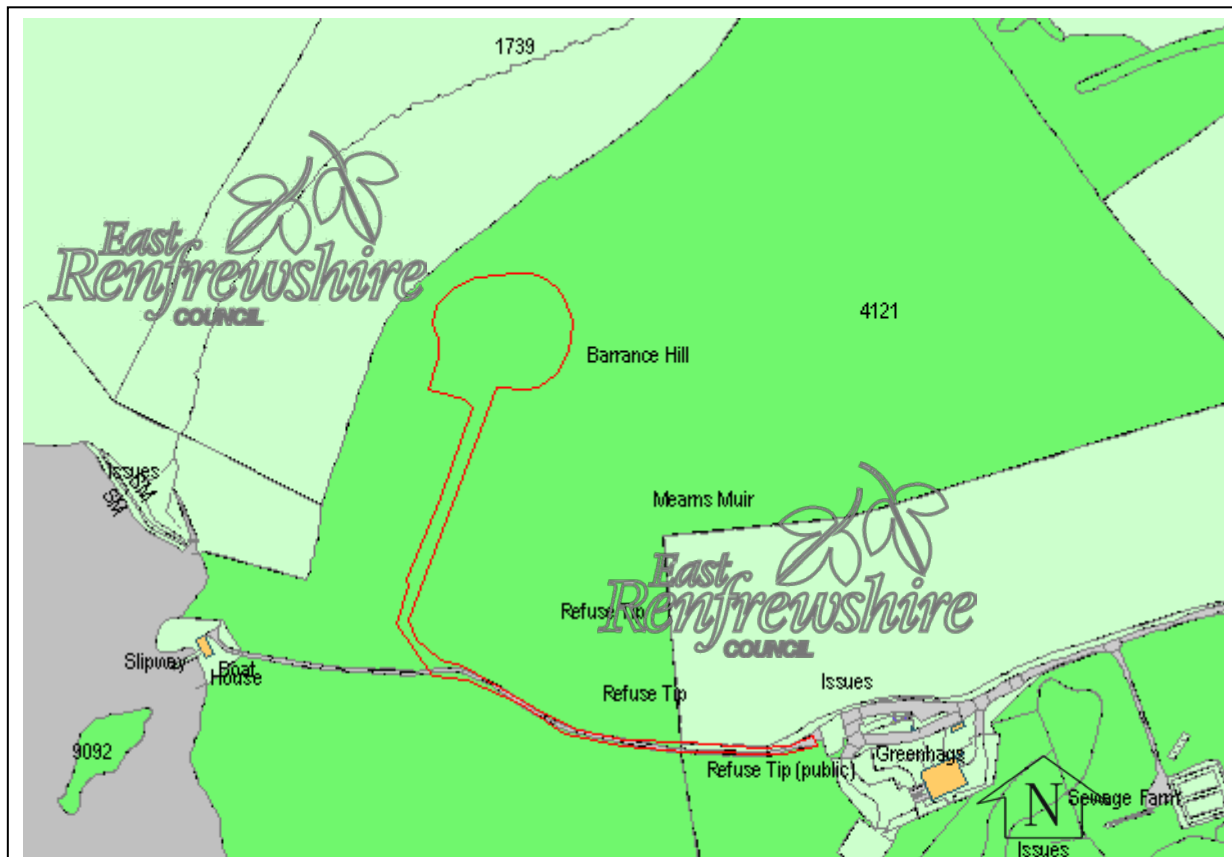
Co-ordinates: 251232/:653077

Applicant/Agent: Applicant:
Intelligent Land Investments
The Shires
33 Bothwell Road
Hamilton
ML3 0AS

Agent:
LoganPM
12 Torphichen Street
Edinburgh
EH3 8JQ

Proposal: Erection of 50 metre high wind turbine (to hub height) with siting of control room and formation of hard standing and access track

Location: Barrance Hill
Adjacent to Greenhags Recycling Centre
Newton Mearns
East Renfrewshire



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CONSULTATIONS/COMMENTS:

National Air Traffic Service	Objects to application.
Glasgow Airport	Objects on aviation safety grounds and there are no technical mitigation measures that can be applied to this proposal.
Ministry Of Defence	No objections
Glasgow Prestwick Airport	No objections
East Renfrewshire Council Environmental Health Service	
East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions.
West Of Scotland Archaeology Service	Recommends and archaeological watching brief condition.
East Renfrewshire Council Outdoor Access Officer	
East Renfrewshire Council Property and Technical Services	No objection to this application from an Estates perspective, however, before any development could proceed the applicant would have to agree a ground lease with the Council in its role as land owner.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2014/0502/TP. Erection of 76 metre high wind turbine (to hub height) with siting of control room and formation of hard standing and access track. Withdrawn 20.11.2004

REPRESENTATIONS:

A total of 23 representations have been received:

Representations can be summarised as follows:

Too many turbines/landscape dominated by turbines
Visual impact/cumulative impact
Noise
Flicker effect
Destruction of countryside walks/fishing
Contrary to Local Plan
Too close to houses
Too close to Brother Loch/impact on recreational amenity of loch
Affect property values
Affect on aviation/aircraft
Affect on birds/wildlife/SSSI
No benefit to Loganswell community
Precedent
Health impacts
Impact on dam wall
Impact on public access/core paths

Contribution to renewable energy targets is risible
Reference to appeal decision (Barrel Law)
Water contamination

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Supporting Statement Document that describes the development and assesses it against a range of topics including planning policy, predicted noise, ecology, shadow flicker, aviation, communication links, transportation, public access, visual impact, private water supplies and community benefit. Concludes that the proposed turbine is acceptable against the range of potential impacts and accords with the development plan.

ASSESSMENT:

This is a Local development under the Town and country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 because the generating capacity of the turbine does not exceed 20 megawatts. However the application requires to be submitted to the Planning Committee for determination as more than 10 objections have been received.

The site is in the Green Belt to the south-west of Newton Mearns to the west of the M77 and east of Stewarton Road on moorland. The site has been indicated as being land owned by East Renfrewshire Council and is approximately 320m to the north-west of the Greenhags Recycling Centre and approximately 230m north-east of the boat house at Brother Loch. The turbine is to be on the south facing slope of Barrance Hill facing towards Brother Loch. The grid co-ordinates of the turbine have been indicated as 251138, 653148 and is approximately 215m Above Ordnance Datum (AOD).

It is proposed to erect a wind turbine 50m to hub height and 77m to blade tip with a generating capacity of 500kW. An area of hardstanding measuring approximately 30m by 20m is to be laid adjacent to the turbine. An access track is to be formed over a length of approximately 200m and is to be over part of the existing track leading to the boat house at Brother Loch from Greenhags Recycling Centre. A control building is also to be installed measuring approximately 3.1m by 7.1m by 2.5m high. The operational lifetime of the turbine has been indicated as 25 years.

The applicant has indicated the intention to pay monies to a local community organisation for each year the turbine is to operate with the payments to be allocated to community projects benefiting the residents of Newton Mearns. The arrangements for disbursing the monies would be arranged with the relevant community organisation or if this is not possible through a body such as the Scottish Communities Foundation.

The nearest residential property to the proposed turbine is Strathcraig approximately 590m to the north-east. There are residential properties on the opposite side of the A77 from Strathcraig with other residential properties located over 750m to the south-east. A 15m high turbine (to hub) has been approved under 2012/0358/TP and installed approximately 1.1km to the west. A windfarm is located to the west (known as Middleton Windfarm) containing six turbines 60m to hub and 100m to blade tip. The proposed turbine is approximately 1.85km to the east of the nearest turbine in this windfarm. It should be noted that a separate planning application has been applied for under 2014/0345/TP for a wind turbine at Mearns Law approximately 350m to the west. This turbine is to be 50m to hub height and 77m to blade tip.

The application requires to be assessed against Scottish Planning Policy on Delivering Heat and Energy (SPP), Scottish Government advice for onshore wind turbines, the Glasgow and the Clyde Valley Strategic Development Plan (SDP), the adopted East Renfrewshire Local Plan and the proposed Local Development Plan (LDP).

Scottish Government Policy on Delivering Heat and Energy is contained in Scottish Planning Policy (SPP) and the current target is for 30% of Scotland's overall energy demand to be

generated from renewable sources by 2020 with 100% of electricity demand from renewable sources by 2020. The SPP sets out guidance for the consideration of applications for a range of renewable energy proposals, including wind farms, and encourages the use of the development plans to support and encourage renewable technologies in appropriate locations. Further advice has been issued by the Scottish Government on the range of matters to be considered in determining applications for energy infrastructure developments. These matters include net economic impact; landscape and visual impacts; cumulative impacts; impacts on natural heritage; impact on communities; aviation matters; road traffic impacts, etc.

The site is located outwith the Broad Areas of Search for significant wind farms (that have a generating capacity in excess of 20MW) as identified in the Glasgow and Clyde Valley Strategic Development Plan (approved May 2012). Given the proposal is for one turbine outwith the search area this is not considered to be an issue at the strategic level. Policy E15 of the East Renfrewshire Local Plan indicates that the Council will generally support renewable energy proposals including wind turbine developments provided that it can be demonstrated that the environmental impacts of such proposals can be mitigated. The site is located in the Green Belt which is protected by the provisions of Policy E2. Policy DM3 indicates that sympathetic consideration will be given to proposals relating to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area provided the functions of the Green Belt can be maintained and the viability of important agricultural land is not prejudiced.

Policy E1 of the proposed Local Development Plan indicates general support for renewable energy infrastructure developments, including wind turbine developments. The assessment of applications for such energy infrastructure developments will be based on the principles of set out in Scottish Planning Policy (2014), in particular, the considerations set out at paragraph 169 and additionally, for onshore wind developments, the terms of Table 1: Spatial Frameworks. Where appropriate the applicant will be required to submit satisfactory mitigation measures to alleviate any adverse environmental impacts.

Policy E1 goes on to state the Council will prepare statutory supplementary guidance which accords with the Scottish Planning Policy (2014), and which contains the full spatial framework for onshore wind energy, sets policy considerations against which all proposals for renewable energy infrastructure developments will be assessed, and provides further detailed information and guidance on renewable energy technologies.

Policy D3 relates to the Green Belt and indicates the Council will give sympathetic consideration to a range of proposals, including for renewable energy, subject to compliance with other relevant policies of the LDP. Any decision will have to take into consideration the impact the proposals will have on the function of the countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Although the site is in an area where support for renewable energy is indicated in general terms the relevant policies from both the adopted and proposed Plans make it clear that adverse impacts are not to occur and the mitigation of environmental impacts needs to be demonstrated.

It is therefore considered that the main issues to be considered in this application is whether this is an appropriate location for this type of development and in particular taking into account the visual impact, the impact on landscape character and any other potential impacts, such as noise. The impact of the development on aviation and navigational radar is also of particular importance in determining this application.

The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with the application that considers the visual impact of the development within a radius 25km from the site. Six viewpoints have been included in the Assessment (Dodside Farm; Neilston Pad; A77 lay-by near St Martin's; Queenseat Hill; Kirkhill, Newton Mearns; and M77 Junction 5).

Within a 5km radius of the site the Zone of Theoretical Visibility (ZTV) of the turbine occupies the majority of the study area. Between 5km and 10km the ZTV is mainly to the north and north-east. From further afield and out to 25km the ZTV is again mainly to the north and north-east with theoretical visibility from high ground at the west of the study area between 20km and 25km. The

LVIA indicates that the turbine would have theoretical visibility over a wide area although concludes that overall the turbine is considered to be acceptable and there will be no significant visual effects predicted on the selected viewpoints. The LVIA concludes that overall the turbine is considered to be acceptable.

It is considered that the LVIA has been carried out in accordance with accepted methodologies however its conclusion does not automatically render the development acceptable. Wind turbines can by their very nature be intrusive in the landscape as their locations are dictated by good wind exposure. The proposed siting of the turbine will introduce a new vertical man made structure into this part of the landscape. The Middleton Windfarm is in excess of 1km from the site and the proposed turbine will only be seen in conjunction with these turbines from certain viewpoints. There are electricity pylons to the north and north-east of the proposed turbine with the closest pylon approximately 1.5km to the north-east.

The site is located within and towards the north-west of a Plateau Moorland Landscape Character Type (LCT). This landscape character type is located in the south-east of East Renfrewshire and extends into South Lanarkshire and includes the landscape in which Whitelee Windfarm is located. This landscape character type comprises open moorlands rising to high points of between 250m AOD and 375m AOD. The key characteristics, features and qualities of this LCT are considered to be distinctive upland character created by the combination of elevation, exposure, smooth plateau landform, moorland vegetation and the predominant lack of modern development (with the exception of Whitelee Windfarm).

The Plateau Moorland is relatively remote and, although it contains few visual receptors, inter-visibility with adjacent landscapes is high. The landscape is large in scale but in the area to the west of the M77 it is more irregular in character in comparison to the smoother moorland of Whitelee Moor to the east. It is considered that the sensitivity of the application site to wind turbine development is greater in the western part of this LCT and particularly so for large turbines such as the one that is being applied for.

There will also be a cumulative visual impact with the turbine applied for under 2014/0345/TP. It is considered that while turbines of different sizes may be accommodated in this LCT it is important to avoid confusion that arises from a range of sizes in the same area. As both turbines are now to be of the same size the potential confusion that could arise from two turbines of different sizes in close proximity to each other has been reduced. The same hub heights and rotor blade lengths does not now present a contrast between the two separate turbines that have been applied for.

The undulating landscape in the vicinity of the proposed turbine means that there will be topographical screening from certain locations/viewpoints whereas from other locations the proposed turbine will be readily visible. This is not unusual because the appearance of any turbine will depend on the position of the viewer and its impact/appearance will change from sequential viewpoints (ie when travelling along roads/routes) and the intervening topography.

Although the applicant considers the proposed turbine as being part of a landscape dominated by wind energy developments, and in their opinion the addition of another turbine will not lead to any unacceptable cumulative effects, this assertion is not agreed with. On the approaches from the south along the M77/A77 and Stewarton Road there is no visual connection to other windfarms in the area because of geographical separation and topographical screening. On the approach from the north along Stewarton Road the Middleton Windfarm is seen to the right of the proposed turbine and there is clear visual separation. In addition from this approach the turbine will be seen protruding above the crest of the hills with no backdrop behind. This emphasises the visual prominence of the proposed turbine. On the approach from the north along the A77 the proposed turbine will be very prominent especially in the area at the entrance to the Greenhags Recycling Centre. As a result of its proposed location there are no measures possible that could for instance screen the turbine from view to lessen its visual impact.

As a consequence the proposed location of the turbine combined with its height causes concern in terms of visual impact. The proposed turbine will also be visually dominant in close proximity to it. It should be noted that the proposed site is not in a very remote location with few visual receptors. There are heavily trafficked road routes in the vicinity of the site as well as recreational

interests that include golf courses and angling at Brother Loch. As a result of the turbine being in very close proximity to Brother Loch it will be highly visible to anglers and therefore visually dominant.

The ancillary access track, hardstanding and control room are considered to have a limited visual impact on the landscape

Consultation responses

The consultation responses from the National Air Traffic Service (NATS) and Glasgow Airport are important material considerations in determining this application. Both have objected to the application on aviation safety reasons and Glasgow Airport in particular has stated that there is no technical mitigation possible. The applicant considers that there is a solution to address the objection from NATS and has suggested the use of a suspensive planning condition to require the submission of aviation mitigation measures for further approval. It should be noted that the policy position in relation to aviation safeguarding has changed with the adoption of the Local Development Plan. Policy DM6 of the adopted East Renfrewshire Local Plan indicated that proposals which interfere with visual and electronic navigational aids of airports will be resisted unless accompanied by appropriate mitigation measures.

However Policy D18 of the proposed Local Development Plan indicates proposals which interfere with visual and electronic navigational aids of airports will be resisted unless accompanied by agreed mitigation measures.

The applicant has been made aware of both of these consultation responses however has not forwarded any actual mitigation measures for consideration.

The consultation response from Glasgow Airport states that there is no technical mitigation solution possible and this response in its own right means the proposal is contrary to Policy DM6 of the adopted Local Plan and Policy D18 of the proposed Local Development Plan. As a consequence this application cannot be supported because of the outstanding aviation objections.

Representations

In terms of the objections that have been received the following comments are made for the matters that have not already been addressed in the assessment above.

Flicker effect: Shadow flicker from turbine blades is not generally regarded as a problem at distances greater than 10 times the diameter of the blades (540 metres in this case) and outside an angle of 130° either side of north from the turbine. There are no buildings here within that area of concern although Southcraig is just beyond this distance. As a consequence it is not considered that shadow flicker is a significant issue in this case.

Appeal decision: Reference has been made to a dismissed appeal at Barrel Law in the Scottish Borders that objectors consider is relevant to this application and in particular on the recreational use of Brother Loch. It should be noted that this appeal related to 8 turbines each of which were 80m to hub and 125m to blade tip. The appointed Reporter referred to the enjoyment by recreational users of a reservoir and its surrounding area being diminished. The Reporter did not consider that the appeal proposal as consistent with the local plan in terms of its unacceptable adverse impacts on the landscape as it would interfere with prominent skylines; would have significant adverse effects on recreational routes and important landscape viewpoints; and on aviation. The difference between the appeal decision and this application is in terms of the number of turbines and larger height with the resultant greater visual impact on the landscape in question.

Government renewable energy targets already met: Reference has been made to comments by the appointed Reporter in the Barrel Law appeal decision regarding the limited contribution (0.15%) that proposal would make to Government renewable energy targets and that the weight that should be given to its contribution is not as great as it would have been with a larger shortfall against the target, or a lack of other schemes. However it should be noted that the Reporter

stated he accepted that the target is not a cap and any additional capacity will help to reduce the UK's carbon emissions. It is considered that the Government's targets from renewable energy are not a cap as there are ongoing and increased future energy generation requirements.

Already enough turbines in East Renfrewshire: One of the main issues in determining planning applications for wind turbines is whether the landscape can accommodate the proposal without resulting in significant adverse visual impacts. To refer to the number of turbines is considered to be an over-simplification of the situation. Not all the turbines in East Renfrewshire can be viewed all at one time because of their different locations and the characteristics of the landscape.

In Greenbelt/Contrary to Local Plan/Outwith search area: The proposed turbine is located in the Green Belt and Policy E2 of the adopted Local Plan presumes against development within these areas except in relation to uses listed in Policy DM3. Renewable energy is one of the uses specified in Policy DM3. Policy E15 supports renewable energy proposals in appropriate locations and supports national and strategic plan guidance. The proposed LDP continues this policy position in Policies D3 and E1. Although the development is located in the Green Belt this policy designation does not preclude appropriate development from happening.

Adverse impact on SSSI: The Brother and Little Lochs Site of Special Scientific Interest (SSSI) is designated because it is a freshwater habitat. The proposed turbine is not in the SSSI and is therefore not considered to impact on the integrity of the SSSI.

Health problems: This is not considered to be a material planning consideration in determining this application.

Precedent: Any further turbine applications in this area will be assessed against the relevant development plan policies and material planning considerations if and when they are received. It is therefore not considered that the decision on this application will set a precedent for future applications.

Adverse effect on wild Land: There is no designated Wild Land in East Renfrewshire.

Lower power level to benefit from feed-in tariffs: This is not considered to be a material planning consideration in determining this application.

Noise: The Council's Environmental Health Service has been consulted on the application and has scrutinised the submitted noise information. Environmental Health has not raised any objections to the application in terms of noise generation. **(tbc)**

Effect on dam wall: If the application was to be approved it is considered that a condition could be attached requiring the submission of a construction methodology statement for further written approval and for the methodology to include measures to protect the dam wall.

Proximity to housing (being contrary to Scottish Planning Policy): Scottish Planning Policy states that planning authorities should set out in the development plan a spatial framework for identifying those areas that are likely to be most appropriate for on-shore windfarms. The SPP indicates that development plans should indicate the minimum scale of on-shore wind development that their spatial framework is intended to apply to. In terms of community separation for consideration of visual impact Scottish Planning Policy indicates that an area not exceeding 2km around cities, towns and settlements is to be identified in the LDP with the extent of the area determined by the planning authority on landform and other features which restrict views out from the settlement. The proposed turbine is more than 2km from the boundary of existing settlements and is for a single turbine and not a windfarm.

Effect on property values: This is not a material planning consideration.

Overall Conclusion

Although the proposed development may contribute to Scottish Government targets, albeit to a limited extent, it is not considered that this overrides the negative aspects of the development.

It is considered that the proposed turbine in its own right is visually dominant and there are no measures possible to mitigate/lessen this impact. It is also considered that there is an unacceptable cumulative visual impact with the turbine applied for under 2014/0345/TP.

In addition there are outstanding objections to the application from NATS and Glasgow Airport which mean that the application cannot be supported against Policies DM6 and D18.

It is therefore recommended that the application be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

1. The proposed wind turbine is contrary to Policy E15 of the adopted East Renfrewshire Local Plan and Policy E1 of proposed Local Development Plan as it would have an adverse visual impact on the site and surrounding area because of its location and visual prominence at this elevated hill side location and there are no mitigation measures possible.
2. The proposed wind turbine is contrary to Policies E15 and DM6 of the adopted East Renfrewshire Local Plan and Policy D18 of the proposed Local Development Plan as it will cause false primary plots to be generated on on-route navigational radar at Glasgow and Cumbernauld with an anticipated reduction in both radar's probability of detection for real aircraft.
3. The proposed wind turbine is contrary to Policies E15 and DM6 of the adopted East Renfrewshire Local Plan and Policy D18 of the proposed Local Development Plan as it will cause significant adverse impact on aviation operations at Glasgow Airport and there are no possible mitigation measures available.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

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

Ref. No.: 2014/0756/TP
(SEMC)

DATE: 3rd June 2015

DIRECTOR OF ENVIRONMENT

2014/0756/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 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 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.

Conversion of Existing Buildings

Proposals to convert or rehabilitate existing redundant rural buildings for residential use will be considered favourably where it is clearly demonstrated that:

1. The building is surplus to requirements for agriculture or other rural uses.
2. The building is traditional and in a vernacular style.
3. The building is structurally sound, with the exterior walls intact, and is capable of modern use without substantial rebuilding or extension.
4. The alterations maintain the character of the building and any extension does not dominate the original building.

Outdoor Leisure Facilities

Proposals for new or extended outdoor leisure facilities will be considered favourably where it is clearly demonstrated that:

1. The emphasis is on outdoor pursuits and there are no suitable sites within the urban area.
2. Any ancillary buildings or other works, such as access and lighting, are absolutely required to serve the outdoor pursuit and do not significantly prejudice rural character and the environment.
3. Satisfactory environmental mitigation measures, including landscaping, are incorporated into the proposal.

New or Replacement Buildings

Where appropriate, other development proposals not mentioned above and including change of use, alterations and extensions to existing buildings, demolition, new or replacement buildings and proposals that support rural diversification or maintain or enhance the rural economy will be considered favourably where it is clearly demonstrated that:

1. The existing building is incapable of physical repair and re-use through the submission and verification of a thorough structural condition report.
2. There would be a resultant economic, environmental or community benefit from the proposal.
3. No suitable alternative site within the urban area exists.
4. The design, siting and scale of any buildings and associated works, including access, are sympathetic to rural amenity.
5. The level of traffic and any other disturbances resulting from the development, such as noise and light, do not prejudice rural character and the environment.
6. Satisfactory environmental mitigation measures, including landscaping, are incorporated into the proposal.
7. The new building or development 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 Dwellings". Other proposals may be acceptable where in accordance with policy Strat2.

Policy E15

Renewable Energy

The Council will generally support renewable energy proposals, including micro-renewable energy technologies on individual properties, wind turbine developments, hydro electric, bio-mass and energy from waste technologies in appropriate locations provided that it can be demonstrated that the environmental impacts of such proposals can be mitigated.

In relation to windfarms, the Council will assess all Planning Applications for such developments against the provisions of the consolidated Scottish Planning Policy, Structure Plan and any future guidance. Proposals for windfarm developments with an output over 20MW will in principle be supported in the Potential Areas of Search for Windfarms, identified in the Structure Plan and shown on the Proposals Map.

In assessing proposals for windfarms and other renewable energy schemes, the Council will have particular regard to the following issues:

* There is no adverse effect on landscape character and biodiversity.

- * Proposals would not cause unacceptable harm to features and areas of local, national and international importance for natural or historic conservation;
- * There is no adverse impact upon the setting of settlements, residential amenity, roads, tourism or recreational interests or telecommunications;
- * Any energy from waste facilities should be sited in accordance with the requirements of policy E13 - "Waste Management" and in proximity to the users of heat and power;
- * There is no adverse impact upon civil and military aviation operations;
- * Adequate measures are in place to mitigate any adverse impacts of windfarms on the local environment and communities
- * The cumulative effect of proposals with existing or permitted schemes are acceptable; and
- * Adequate measures are in place to secure the satisfactory removal of turbines and related infrastructure and restoration of the land following cessation of operation of the windfarm.

More detailed information and guidance will be included in Supplementary Planning Guidance (SPG) on Renewable Energy Developments to be prepared by the Council. This guidance will include a local, locational strategy for windfarms.

When considering proposals for renewable energy schemes in the Green Belt and Countryside Around Towns, the Council will take into consideration the Ayrshire and Clyde Valley Windfarm Landscape Capacity Study, commissioned by SNH, and the Council's own Green Belt Landscape Character Assessment along with the guidance contained in the consolidated Scottish Planning Policy and the advice given in PAN 45 - "Renewable Energy Technologies".

Within the Potential Areas for Search for Windfarms, the Council intends carrying out a more detailed landscape character assessment to help evaluate the impact of any future development proposals within this area.

In all circumstances the requirements of Policies Strat2 - "Assessment of Development Proposals", DM1 - "Detailed Guidance for all Development and DM3 - "Green Belt and Countryside Around Towns" will require to be satisfied.

The Council will prepare SPG on Renewable Energy in parallel with the LDP process during 2011. The revised search area boundaries illustrated in the emerging SDP for the Glasgow and Clyde Valley Area will be reflected within this SPG.

Proposed Local Development Plan

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

Policy D3

Green Belt and Countryside Around Towns

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

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

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

Policy E1
Renewable Energy

The Council will generally support renewable energy proposals, including micro-renewable energy technologies on individual properties, wind turbine developments, hydro electric, bio-mass and energy from waste technologies in appropriate locations. Where appropriate, the applicant will be required to submit satisfactory mitigation measures to alleviate any adverse environmental impacts.

Broad areas for search and the areas of potential constraint for renewable energy are shown on the Proposals Map and referred to in the Renewable Energy Supplementary Planning Guidance together with a range of criteria against which all applications will be considered.

Further detailed information and guidance is provided in the Renewable Energy Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Onshore Wind indicates that planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales, including extensions and re-powering. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and cumulative impacts. Individual properties and those settlements not identified within the development plan will be protected by the safeguards set out in the local development plan policy criteria for determining wind farms and the development management considerations accounted for when determining individual applications.

REPORT OF HANDLING

Reference: 2015/0052/TP

Date Re-registered: 24th March 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward:

Co-ordinates: 257529/656084

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

Agent:
PATS / East Renfrewshire Council
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
G46 8NG

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

Location: Recreation Ground south of Bonnyton House and north of Newford Grove
Clarkston
East Renfrewshire
G76



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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads And Transportation Service No objections.

East Renfrewshire Council Property and Technical Services

East Renfrewshire Council Environmental Health Service Recommends construction hours condition.

PUBLICITY:

13.02.2015 Glasgow and Southside Extra Expiry date 27.02.2015

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS:

A total of 55 representations have been received:

Representations can be summarised as follows:

Contrary to Policy L1 and Local Development Plan
Traffic congestion/increase in traffic
Impact on sewerage system
Pedestrian and traffic safety
Loss of recreational space/greenbelt
Concern at location of bus lay-by and lacking of turning facility
Loss of trees and wall
Positioning of car parking
Disruption during construction
Lack of consultation
Design of building
Transport Assessment flawed

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Site Option Appraisal	An assessment of Council owned sites in the Busby/Clarkston area that may be suitable to accommodate a children's nursery with the pros and cons of each site outlined.
Consultation Report by Director of Education (April 2014)	Reports on the consultation activity, to the Education Committee, with various stakeholders from 25 April 2014 to 10 June 2014 relating to the future nursery provision for children of pre-school age in the Busby/Clarkston area for school session 2015/15 and beyond. Recommends the Education Committee adopts the proposal to establish a family centre in Busby to serve Busby, Clarkston and Eaglesham.
Access Review	Examines the feasibility of access to the site from both Newford Grove and Cartside Road as well as the wider implications for transport and access within the locality.
Planning Statement	Indicates that current pre-five provision in the Clarkston Area does not meet the demand for localised local authority nursery places or child care during holiday periods. There is no family centre provision currently in the

area. The proposal would enhance current provision in the Busby/Clarkston area. Indicates that public consultation was carried out. Indicates the location of the development is to minimise the impact and allow the remainder of the site to be available for other community use.

Transport Assessment Assesses the current and future transport matters associated with the development. Concludes the development accords with national and local transport policies with the development being in an accessible location and can be accessed by sustainable transport modes.

ASSESSMENT:

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

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

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

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

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

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

A vehicular access is to be formed from Newford Grove opposite 1 Newford Grove leading to the proposed car park containing a total of 46 spaces. Alterations would also be carried out to Newford Grove to form a bus lay-by at the front of the site. A pathway is to be formed from the new bus lay-by to the front entrance of the building and there is to be a footpath leading from the side of the building to the existing footpath that leads from Newford Grove to Cartside Road.

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

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

The site is identified in the adopted Local Plan as important urban greenspace and Policy L1 indicates that such greenspace will be safeguarded and development resisted which would prejudice their continued leisure and recreational use or amenity or wildlife value. In terms of the assessing the development against Policy L1 it has to be considered what impact the development would have on the existing leisure/recreational area both in terms of use and visual impact. It should be noted that the proposed development does not result in the complete loss of the recreation ground and does not interfere with the existing enclosed equipped play area. The majority of recreation ground is grass and recreational activities are not formalised through, for example, the marking out of sports pitches.

The Council's up-to-date policy position is contained in the proposed Local Development Plan (LDP) which has been examined by the Scottish Government and is intended to be adopted. The site is again identified in the proposed LDP as important urban greenspace. Policy D5 of the LDP indicates that urban greenspace will be safeguarded and the loss of such areas will be resisted unless it can be demonstrated that: there is no significant impact on landscape character and amenity of the site and surrounding area; there will be no loss of public access; there will be no or limited impact on nature conservation; the proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace. Policy D5 also contains additional criteria for the assessment of proposals that affect outdoor sports facilities.

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

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

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

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

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

to this it was discovered that mains services are routed across that site and these would require re-routing.

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

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

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

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

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

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

The Council's Roads Service has been consulted on the application and has no objections in terms of traffic generation and the impact of the development on the roads network. Roads Service also has no objections to the proposed site access being taken off Newford Grove.

In terms of the objections that have been received and not already considered in the assessment above the following comments are made. Separate applications will have to be made by the applicant to connect to the sewerage system and any other infrastructure. Such applications are outwith the remit of this planning application. There is likely to be an element of disruption during any construction project however this in itself is not a reason to refuse an application. If the application is approved the construction activities can be managed by restricting construction times by way of a planning condition in order to prevent disturbance to nearby properties. Any traffic management arrangements during construction can also be agreed separately with the Council's Roads Service to minimise disruption to road users.

Criticism has also been made regarding the lack of consultation for this project before the application was submitted. This is not a matter for consideration in determining this application.

Overall conclusion

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

It is therefore recommended that planning permission is granted.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None

CONDITION(S):

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

Reason: To ensure the development is acceptable in appearance.

2. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

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

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

Thereafter the landscaping works shall be implemented as approved.

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

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

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

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

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

6. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless otherwise agreed in advance in writing by the Head of Environment (Property, Planning and Regeneration).

Reason: To prevent noise nuisance to the surrounding area.

7. The use hereby approved shall only be open to the public between the hours of 8am and 6pm unless otherwise agreed in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To protect adjacent dwellinghouses from noise/disturbance.

ADDITIONAL NOTES:

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

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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

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

ADDED VALUE:

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

BACKGROUND PAPERS:

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

Ref. No.: 2015/0052/TP
(SEMC)

DATE: 3rd June 2015

DIRECTOR OF ENVIRONMENT

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2015/0052/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 L1

The Council will safeguard the important urban Greenspaces and wider green network identified on the Proposals Map and will resist development which would prejudice their continued leisure and recreational use or amenity or wildlife value.

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) outlines the Council's most up to date statement of planning policy. The LDP has been examined by the Scottish Government and the Examination Report has been published. It is now intended to adopt the LDP.

Policy D5 Protection of Urban Greenspace

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

- There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;
- There will be no loss of public access;
- There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;
- The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

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:

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

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REPORT OF HANDLING

Reference: 2015/0127/TP

Date Re-registered: 24th April 2015

Application Type: Full Planning Permission

This application is a Major Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 254397/658595

Applicant/Agent: Applicant:
David Lloyd Leisure
242 Netherton Road
Anniesland
Glasgow
G13 1BJ

Agent:
CBRE
Sutherland House
149 St. Vincent Street
Glasgow
G2 5NW

Proposal: Proposed demolition of existing golf centre and erection of health & fitness club incorporating 3 external tennis courts, external leisure pool, spa pool and sauna building, refurbished golf practice range and associated access, car parking and landscaping (major)

Location: Rouken Glen Golf Centre
3 Stewarton Road
Thornliebank
East Renfrewshire
G46 7UZ



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CONSULTATIONS/COMMENTS:

Scottish Environment Protection Agency	No objections.
Scottish Natural Heritage	Do not intend to offer formal comment.
Glasgow City Council	No objection.
Historic Scotland	No objection.
East Renfrewshire Council Environmental Health Service	Recommends conditions.
East Renfrewshire Council Property and Technical Services	No objection to this proposal from an Estates perspective however the prospective developer would have to secure a new ground sub-lease from East Renfrewshire Council before this development could proceed.
East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions.
Coal Authority	No objections subject to conditions requiring intrusive site investigation works to be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.
West Of Scotland Archaeology Service	No substantive archaeological issue is raised by the planning application as the development area is mostly heavily disturbed already.
Giffnock Community Council	Whilst the community council support the application on principle they hope that the council would be mindful of the impact in the surrounding area especially any advantageous opening and closing hours that would have a detrimental impact on Giffnock and surrounding venues. Also wishes to ensure that a traffic assessment of additional volume of cars at the Spiersbridge roundabout and appropriate action taken.
Thornliebank Community Council	No response at time of writing

PUBLICITY:

27.03.2015 Glasgow and Southside Extra Expiry date 10.04.2015

SITE NOTICES: None.

SITE HISTORY:

1997/0151/TP	Erection of leisure centre, extension to golf course, relocation of driving range and formation of new access and parking (in outline)	Refused	19.11.1997
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1998/0573/TP	Erection of a tennis, health and fitness centre, incorporating new golf clubhouse and indoor electronic driving range, formation of new access, parking and landscaping	Approved subject to conditions	19.11.1999
2002/0442/TP	Erection of racquet and fitness club incorporating tennis courts, badminton courts, swimming pools, gymnasium, etc, external driving range, and car parking	Approved subject to conditions	12.11.1997
2007/0572/TP	Demolition of golf clubhouse, erection of new golf clubhouse and health and fitness club with external pool, three external tennis courts and two external 5-a-side pitches, children's soft play area with cafe with associated parking, landscaping and roundabout on Stewarton Road	Approved subject to conditions	05.12.2007
2011/0106/TP	Siting of temporary building to be used as a replacement clubhouse	Approved subject to conditions	11.05.2011
2015/0122/PN	Demolition of clubhouse (prior notification)	Approved subject to conditions	19.03.2015

REPRESENTATIONS:

A total of 3 representations have been received:

Representations can be summarised as follows:

- Height of building (3 storeys and 20m high)
- Traffic generation/congestion
- Traffic safety at brow of hill
- Increase in pollution and litter
- Noise generation
- Disturbance during construction
- Visual impact
- Abundance of leisure facilities
- Floodlights
- Located in greenbelt and designed landscape
- Contrary to local plan
- Scale inappropriate
- Not located in sequentially preferable site

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Flood Risk Assessment	Assesses the flood risk in the area and outlines the mitigation measures proposed. Indicates from the data available there appears to be little or no risk of river flooding from the Auldhouse Burn. There is a high risk of surface water flooding along the northern and north-western edges of the site. The development will involve an increase in impermeable areas and recommends the drainage design will be required to ensure adequate capacity and attenuation from the proposed development.
Landscaping Management and Maintenance Proposals	Indicates the maintenance of the landscaping and planting is to be carried out by a factor or managing agent appointed by David Lloyd and indicates generally what maintenance is to occur.
Extended Phase 1 Habitat Survey	Assesses the site in terms of ecological importance in relation to potential European Protected Species and Protected Species and their habitat. Recommendations for further survey and biodiversity enhancements, including tree planting along the west edge of the site and installation bat boxes, are also made.
Noise Impact Assessment	Measures the existing background and ambient sound at the closest receptors to the development and indicates the potential key noise source are through the use of the tennis courts, HGV deliveries, proposed fixed plant items and the use of the car park. Concludes that there will be not adverse noise impacts and mitigation measures are not required.
Design and Access Statement	Describes the design process and to demonstrate how the proposed scheme responds to the site's context and the opportunities and constraints presented by both the site and its surroundings. Indicates the requirement for an active frontage along the boundary with Stewarton Road; respond to the existing topography and landscape; utilise the existing road junction; provide pedestrian access; and southerly aspect for the outdoor courts, pool, etc.
Drainage and Water Management Strategy	Indicates how the surface water and foul drainage from the development is to be handled. Surface drainage is to be channelled to the south boundary of the site to underground attenuation. The existing foul sewer that extends into the site from the north is to be retained for the new development.
Club house condition report	The Report indicates that a visual inspection was carried out by CBRE Building Consultancy on 24 February 2015. This inspection indicates that externally the finishes are generally discoloured, flaking and spoiling and there is evidence of rot on timber fascias and windows. The roof was not inspected although there is water ingress internally from large openings and missing windows/rooflights. Internally the finishes are generally damp with plaster walls/ceilings flaking and detached. There is also a large amount of debris covering the floors throughout. These matters are shown on photographs accompanying this application.
Mineral Stability Desk Study	The Study provides a preliminary assessment of the indicated mineral conditions at the site and identify possible constraints relating to mineral stability which may affect the proposed redevelopment of the site. Indicates there is evidence to suggest that both coal and fireclay has been worked in the vicinity of the site and there may be unrecorded workings below the site. There is a moderate risk of ground instability and further intrusive investigations are recommended to allow a comprehensive assessment of the potential mineral stability issues.

Tree Survey	Surveys 56 trees on site and an area of woodland to the east and includes recommendations on necessary remedial action such as tree surgery or felling. Identifies there will be a loss of the small ornamental trees to the north-west of the existing building and one mature sycamore at the south-west corner of the existing driving range. Also indicates that the woodland to the east and dominant trees along Stewarton Road can all be retained and protected during the proposed redevelopment.
Pre-application consultation report	The Report summarises the statutory pre-application consultation with the community carried out by the developer.
Planning Statement	Considers the development against national and local planning policies as well as material planning considerations. Concludes that the development accords fully with policy, is sustainable and will have a significant benefit for the wider community.
Transport Assessment	Assesses the expected implications of the development on the surrounding transport network and assesses the potential for minimising private car usage by promoting a modal shift towards sustainable transport. Concludes that the site has a good level of access to non-car travel modes with bus services available within a walkable distance and train services are available to form part of a multi-modal trip to wider destinations. Of four junctions assessed, the estimated traffic generation can be readily accommodated at three of them. The fourth junction, Spiersbridge Roundabout, would operate over capacity in the year of opening without the addition of development traffic. The level of development traffic added to this junction, during the critical morning peak hour, is considered of minimal significance and no mitigation measures are proposed. The Assessment indicates the existing footway on the east side of Stewarton Road will be extended to provide a link to the development site as well as a pedestrian crossing provided. In addition, footway will be provided into the development to and from the southbound bus stop.

ASSESSMENT:

This is a Major Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations as the total floor space of the proposed development exceeds 5,000 sqm and the site area exceeds 2 hectares. The application therefore has to be presented to the Planning Applications Committee for determination.

The application site is located on the east side of Stewarton Road and forms part of the larger Deaconsbank Golf Course. The application site extends to approximately 3.5 hectares. There is an existing single storey fire damaged clubhouse building as well as other ancillary buildings including a golf driving range. Rouken Glen Park is located to the east. There are residential properties on the opposite side of Stewarton Road. The clubhouse was fire damaged in 2007 and its condition has deteriorated during the intervening period to the extent that there has been water ingress.

Permission is sought to erect a two storey leisure building with a curved roof that is to be approximately 70.5m long by approximately 51.5m wide and approximately 9.5m at its highest. The internal floor area of the building has been indicated as 4845 sqm. The proposed building is to be erected further north in the site than the existing fire damaged club house by approximately 12m to 17m. The external materials are to be a combination of blockwork, timber cladding, wall panels and aluminium roof. The proposed building is to accommodate a reception area, lounge, kitchen, bar/servery, changing rooms, spa, indoor pool, etc as well as three indoor tennis courts on the ground floor. The indoor courts hall occupies approximately half of the footprint of the proposed building and is the full height of the building. On the upper floor there is to be a golf changing room, a gym and other fitness rooms, general office, etc.

The proposed development also includes the construction of an outdoor pool, an outdoor tennis court and three padel courts on the south side of the proposed building as well as a small children's play area and an outdoor terrace. There is to be a freestanding sauna building on the east side of the main building within an enclosed spa garden area that is to have a spa pool in its corner.

The outdoor courts, pool, children's play area, garden and terrace are to be enclosed by fences of various heights and designs.

The sauna building is to be approximately 6.5m by 5.7m with a hipped roof approximately 4.6m high. There are to be timber panels on the walls and tiles on the roof of this particular building.

There is to be a golf maintenance stores building on the east side of the proposed building that is to be approximately 11m long by 7.5m wide and has a flat roof approximately 3m high. Cladding panels are to be on the walls and a metal roof.

The existing golf practice range building is to be demolished and a new range constructed in a similar position but its alignment is to be changed to face more directly north-east. The new range is to be a single storey structure approximately 33m long by 7m wide and approximately 3.6m high. The new range is to be constructed using a masonry base course, plastisol coated wall panels and a metal roof. Safety fencing is also to be erected between the new practice range and the new building and its car park. The safety fencing is to be constructed over a length of approximately 220m and it is to be approximately 10m high.

The existing vehicular access off Stewarton Road is to be utilised which leads to parking along the west side of the proposed building parallel to Stewarton Road and also on the north side of the proposed building. There are to be a total of 176 parking spaces.

There have been a series of planning applications to re-develop this site as indicated in the site history section above. None of these re-development proposals have been implemented. The most recent re-development involved the demolition of the golf clubhouse, erection of a new golf clubhouse and health and fitness club with external pool, three external tennis courts and two external 5-a-side pitches, children's soft play area with cafe with associated parking, landscaping and construction of a roundabout on Stewarton Road. Planning permission was approved for this re-development, subject to conditions, on 5th December 2007 (2007/0572/TP).

The aforementioned development involved a more extensive development with a larger leisure building that was to have a footprint of approximately 6,600sqm compared to a footprint of approximately 3,400 sqm now proposed. The aforementioned development included more outdoor courts. In addition the golf practice range was to be re-located to the south part of the site and to face south-east. The vehicular access to that development was to be moved further along Stewarton Road and via a new roundabout.

The site had been identified in the adopted East Renfrewshire Local Plan as being for new and improved leisure/recreational facilities and specifically for a sport and leisure complex under Proposal L7.8.

The site is also at the west side of a Historic Garden and Designed Landscape covered by Policy E4. This policy indicates the Council will protect, preserve and enhance such places and shall not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value.

The development is at the edge of the Historic Garden and Designed Landscape where there is already a golf course and the fire damaged clubhouse and is situated in a largely enclosed self-contained site which is well screened from Rouken Glen Park. It is considered that the existing urban area on the opposite side of Stewarton Road has an influence on the appearance and character of the west part of the Historic Garden and Designed Landscape. It is also considered that the site has more direct visual connection with the golf course that lies outwith the historic garden and designed landscape and is well screened from the remainder of the Park. There is

landscaping and planting along the east side of the application site that separates the site from the remainder of the historic garden and designed landscape. As a consequence it is not considered that this proposal has a significant impact on this designation. Historic Scotland has been consulted on the application and has no objections and is content that the proposed development will not have an adverse impact on the designed landscape.

The Council's up-to-date policy position is contained in the proposed Local Development Plan (LDP) which has been examined by the Scottish Government and is intended to be adopted.

The site is identified in the proposed Local LDP as being in the Greenbelt as well as the Green Network and covered by Policies D3 and D4 respectively. Policy D3 indicates that development proposals within the greenbelt related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area will be considered sympathetically subject to compliance with other relevant policies. Any decision will have to take into consideration the impact on the function of the greenbelt with development being sympathetic in scale and design to the rural location. Policy D4 indicates the Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the green network and any proposals that are likely to destroy or impact adversely impact the character or function of the green network will be resisted.

Although the Council's up to date policy position is that the site is now in the greenbelt and green network there has been a leisure and recreational use at this location over an extensive period of time. As the proposal is for recreational development it is considered to accord in general terms with Policies D3 and D4. The proposal relates in part to the existing golf course at this location and includes new facilities for this use. It should be noted that the site is at the edge of the greenbelt and not in a remote location and is opposite the existing urban area. The proposed development has to be viewed in the context of the adjacent urban area.

The site is again at the west side of a Historic Garden and Designed Landscape covered by Policy D11. This policy indicates the Council will safeguard the special character of such designations and development likely to adversely affect these assets will be resisted. It is not considered that this proposal has a significant impact on this designation for the reasons given in the assessment above against Policy E4 of the adopted Local Plan.

Policy D5 of the LDP is considered to be relevant in determining this application. This Policy indicates that urban greenspace, including outdoor sports facilities, will be safeguarded and the loss of such areas will be resisted unless it can be demonstrated that: there is no significant impact on landscape character and amenity of the site and surrounding area; there will be no loss of public access; there will be no or limited impact on nature conservation; the proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace. Policy D5 also contains criteria for the assessment of proposals that affect outdoor sports facilities, one of which states the outdoor sports facility would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area. This proposal is considered to accord with these requirements of the policy.

Policy D13 is also applicable as it relates to the safeguarding and improvement of existing community, leisure and educational facilities. The proposed development is considered to accord in general terms with this policy by improving existing leisure facilities in an accessible location.

In terms of visual impact it is acknowledged that the proposed development will result in change at this location primarily because of the increase in size and scale of the development compared to what is currently on site. It therefore has to be considered whether the new scale of development is visually acceptable at this location. On the approaches to the site from the north, in the area of Spiersbridge Roundabout, the existing topography, embankment and vegetation combined with the position of the development means that the development is not considered to be readily seen. Closer to the crest of the hill on Stewarton Road before the site entrance there is a strong line of trees/vegetation that assists in screening the development. In the approaches to the site from the

south along Stewarton Road the trees/vegetation along the edge of the golf course is again a strong landscape feature and screens the development from view. The development will become more evident closer to the entrance to the site because the trees/vegetation thins out. For the properties that directly face the site the boundary trees will again assist in screening the development. It is considered that on balance the visual impact of the proposed development is acceptable at this location.

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

It should be noted that the proposed building is not three storeys high or 20m high as has been indicated by an objector. However the proposed building is two storeys high and approximately 9.5m high.

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

The matter of an abundance of leisure facilities is not a material planning consideration.

The hours of use of the external courts and when the floodlights can be on can be restricted by a planning condition, should the development be approved.

Overall conclusion

It is acknowledged that this development results in change at this location primarily because of the increase in size and scale of the development that is being proposed compared to what is there currently. However the proposed development is considered to accord with the terms of the relevant policies of both the adopted Local Plan and the proposed Local Development Plan. It is also considered that the visual impact of this change is localised and can be mitigated by existing/enhanced landscaping and also does not have an adverse effect on the Designed Landscape or on the Greenbelt.

It is considered appropriate to restrict the use of the development to the leisure use that has been applied for by using a planning condition. The proposed development is considered to fall within Class 11 Assembly and Leisure of the 1997 Use Classes Order. There are other uses within Class 11 that could occur without planning permission being required such as a concert hall, casino, dance hall or discotheque. These alternative uses would have different amenity considerations. This restriction was applied to the previous planning permission 2007/0572/TP.

Taking all of the above into account it is considered that this is an acceptable development at this location.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None

CONDITION(S):

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

Reason: To ensure the development is acceptable in appearance.

2. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

3. Development shall not commence until intrusive site investigation works are carried out in order to establish the exact situation regarding coal mining legacy issues on the site. A report of the investigation shall be submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration) in conjunction with the Coal Authority. In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings to ensure the safety and stability of the proposed development, the remedial works identified by the site investigation shall be fully implemented on site prior to commencement of the development.

Reason: To ensure the site is, or can be made, safe and stable for the proposed development.

4. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless otherwise agreed in advance in writing by the Head of Environment (Property, Planning and Regeneration).

Reason: To prevent noise nuisance to the surrounding area.

5. Noise from the proposed development shall not exceed residential Noise Rating Curve 35 (daytime) and NR25 (night-time) as (described in BS 8233 1999), as measured from any neighbouring property.

Reason: To prevent noise nuisance to nearby residential properties.

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

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

7. The development shall be landscaped in accordance with the scheme as shown on Brindley Associates drawing 0965/2A unless otherwise agreed in writing by the Head of Environment (Planning, Property and Regeneration). The approved landscaping shall be maintained for a period of five years. Any trees, shrub 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.

8. Development shall not commence until details of the sub-station as shown on drawing PL-09-010 Rev A have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the sub-station is acceptable in appearance.

9. Development shall not commence until the trees marked for retention on Brindley Associates drawing 0965/2A have been protected by suitable fencing. Fencing shall be erected on at least the fullest extent of the canopy on broadleaf trees and half the height of conifer trees as set out in BS3998/2010 and BS5837/2012. Development shall not commence until details of the location and type of fencing have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To protect the existing trees and shrubs so that they continue to contribute to the environmental quality of the area and soften the impact of the development.

10. The existing footway on the east side of Stewarton Road shall be extended southwards along the full frontage of the site to the main vehicular site access. Development shall not commence until plans/details of the extended footway, as well as the additional footways as shown on Dougall Baillie Associates Transportation Assessment (March 2015) drawing Diagram 3.1, have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the extended footway shall be implemented in accordance with the approved details prior to the development coming into use.

Reason: In the interests of pedestrian and roads safety.

11. A new signalised pedestrian crossing shall be installed at the brow of the hill on Stewarton Road and shall be a "puffin crossing". Development shall not commence until plans/details of the crossing, as identified on Dougall Baillie Associates Transportation Assessment (March 2015) drawing Diagram 3.1, have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the extended footway shall be implemented in accordance with the approved details prior to the development coming into use.

Reason: In the interests of pedestrian and roads safety.

12. Refreshed/improved road markings shall be provided on Stewarton Road at the vehicular access to the development site prior to opening of the approved development. Development shall not commence until plans/details of the road markings have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: In the interests of roads safety.

13. The parking spaces shown on the approved site plan PL-09-001 Rev A shall be constructed, surfaced and delineated on the site in all respects before the development hereby approved is brought into use/occupied.

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

14. The outdoor leisure facilities (including the courts, pool and driving range) and floodlights shall not be used after 10pm unless agreed in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: In the interests of amenity and to avoid disturbance to nearby residential properties.

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

and Regeneration). The submitted details shall provide for two levels of SUDs for the car park area and treatment of roof water before directing the surface water to the existing connection. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

16. Notwithstanding the provisions of the Town & Country Planning (Use Classes) (Scotland) Order 1997, the approved development shall be used solely as a Class 11(e) use and for no other purpose of the specified Order.

Reason: To ensure the Council retains control over future developments on the site.

17. Wheel washing facilities must be provided within the site during construction and demolition operations.

Reason: To prevent mud deposits and deleterious materials being carried onto the public road.

ADDITIONAL NOTES:

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

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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

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.

The applicant is required to consult with East Renfrewshire Council Protective Services regarding compliance with the Workplace (Health, Safety & Welfare) Regulations 1992.

All waste arising from the demolition or construction activities must be removed by a licensed waste carrier. There must be no burning on site, other than that permitted by Scottish Environmental Protection Agency by prior agreement; any such burning must not cause nuisance.

East Renfrewshire Council Roads Service should be consulted regarding a Road Opening Permit (S56) for any excavations undertaken within the public road.

The applicant is reminded that a new ground lease is required from East Renfrewshire Council before development commences.

The applicant is reminded is a requirement of CAR 2011 to provide a SUDS system throughout the construction phase of the development to ensure adequate protection of the water environment. The system should comply with the Rules detailed in General Binding Rules 10 & 11. Suitable pollution control measures should be employed wherever there is an identifiable risk to the water environment. This should give particular consideration to contaminated surface water run off arising from earthworks, roads, drainage, compounds, concrete batching facilities and any other associated infrastructure.

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 (Scotland) Regulations 2011. 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.

The applicant and their contractors should also be fully aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.

The storage of fuels and oil will be subject to the requirements of The Water Environment (Oil Storage) (Scotland) Regulations 2006. The Regulations apply to any kind of container which is used and stored on premises above ground, whether inside or outside a building. This includes fixed tanks, intermediate bulk containers, drums or mobile bowsers. SEPA would expect that appropriate pollution guidelines are followed. Details on the oil storage Regulations can be found at the following http://www.sepa.org.uk/water/water_regulation/regimes/pollution_control/oil_storage.aspx

Details of regulatory requirements and good practice advice for the applicant can be found at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at:

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

The display of advertisements (eg fascia signs, box signs) may require to be the subject of a separate application for advertisement consent.

The applicant is advised to contact East Renfrewshire Council Roads Service separately to agree the timetable for all works on Stewarton Road (ie signing, lining and pedestrian provisions including the installation of a crossing and a refuge island, surfacing and the installation/relocation of bus stops).

ADDED VALUE:

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

BACKGROUND PAPERS:

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

Ref. No.: 2015/0127/TP
(SEMC)

DATE: 3rd June 2015

DIRECTOR OF ENVIRONMENT

2015/0127/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)

Proposal L7
New and Improved Facilities

The Council will seek the implementation of the following major leisure and recreation schemes identified on the Proposals Map:

Schedule L7

Ref	Location	Description
	Barrhead	
	Giffnock	
L7.8	Deaconsbank	Sport and leisure complex

Policy E3
Protection of Natural Features

The Council seeks to protect and where appropriate enhance East Renfrewshire's natural heritage and landscape features, including wildlife habitats within urban greenspaces.

There will be a strong presumption against development where it would compromise the overall integrity of Sites of Special Scientific Interest (SSSIs), Sites of Importance for Nature Conservation (SINCs), Tree Preservation Orders (TPOs) and ancient and long established woodland sites. The locations of SSSIs, SINCs, TPOs are identified on the Proposals Map.

In addition, the Council will encourage woodland management and tree retention and will support planting schemes which contribute to the creation of new native woodlands and to the landscape value and amenity of the area.

c) SINCs

The Council will seek to protect and where possible enhance SINCs. Development that would have an adverse effect on the objectives of a SINC designation or on the overall integrity of the area of any SINC will not be permitted unless it can be shown that the adverse effect would be outweighed by social, economic or other benefits arising from the development.

Policy E4

Conservation of the Built Heritage

The Council will safeguard the special character of Conservation Areas and the area at Netherlee subject to an Article 4 Direction (identified on the Proposals Map), Listed Buildings and their settings and properties included on the Inventory of Gardens and Designed Landscapes. Development likely to prejudice these assets will be resisted.

e) Gardens and Designed Landscapes

Development affecting the Gardens and Designed Landscapes listed below and shown on the Proposals Map shall protect, preserve and enhance such places and shall not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value.

Ref
Location

E4.8
Rouken Glen Park, Giffnock

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) outlines the Council's most up to date statement of planning policy. The LDP has been examined by the Scottish Government and the Examination Report has been published. It is now intended to adopt the LDP.

Policy D3

Green Belt and Countryside Around Towns

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

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Proposed Plan.

Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

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

Policy D4 Green Network

The Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the green networks shown on the Proposals Map and within the Green Network Supplementary Planning Guidance.

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

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

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

Policy D11 Management and Protection of the Built Heritage

The Council will safeguard the special character of conservation areas and the Netherlee Article 4 Direction Area ; sites included on the Inventory of Gardens and Designed Landscapes; scheduled monuments and archaeological sites; and listed buildings and their settings. Development likely to adversely affect these assets will be resisted.

Further detailed information and guidance is provided in the Management and Protection of the Built Heritage Supplementary Planning Guidance.

The Council will seek to secure the implementation of the environmental protection projects shown on the Proposals Map and listed in Schedule 5.

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 D5

Protection of Urban Greenspace

Urban greenspace, identified on the Proposals Map, will be safeguarded.

Proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

- There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;
- There will be no loss of public access;
- There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;
- The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

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

GOVERNMENT GUIDANCE:

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

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REPORT OF HANDLING

Reference: 2015/0146/TP

Date Registered: 18th March 2015

Application Type: Full Planning Permission

This application is a Major Development

Ward: 2 -Barrhead

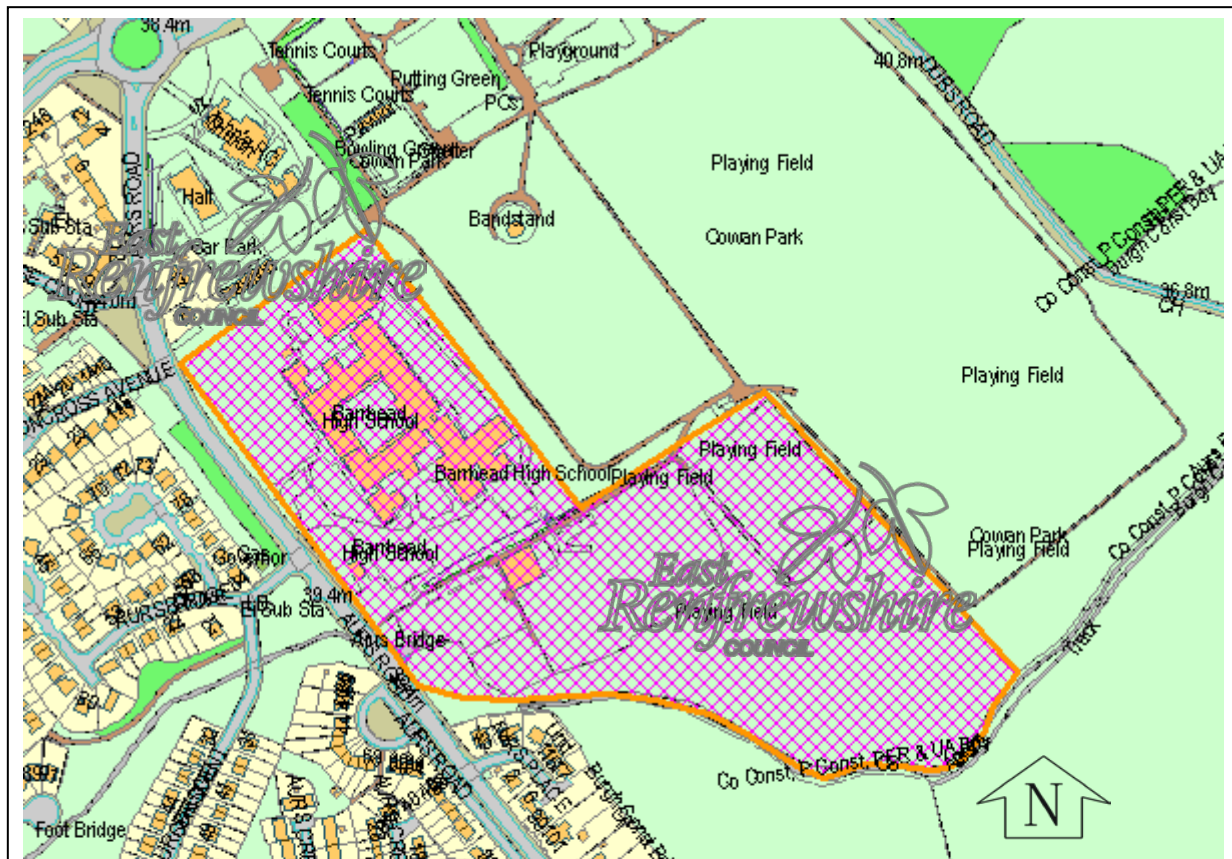
Co-ordinates: 251015/:658942

Applicant/Agent: Applicant:
East Renfrewshire Council
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
East Renfrewshire
G46 8NG

Agent:
BDP Ltd
15 Exchange Place
Glasgow
G1 3AN

Proposal: Erection of replacement high school with associated parking, accesses and landscaping; formation of synthetic playing field and running track with erection of floodlights (major)

Location: Barrhead High School and the Johnny Kelly Pavilion
Aurs Road
Barrhead
East Renfrewshire



DO NOT SCALE

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions.
Scottish Water	No response at time of writing
Scottish Environment Protection Agency	No objections subject to a condition.
Barrhead Community Council	No response at time of writing
East Renfrewshire Council Environmental Health Service	Recommends conditions regarding restricting construction times, noise levels and to deal with any unsuspected contamination.
Glasgow City Council	No objection.
SportScotland	No objections subject to conditions.

PUBLICITY:

27.03.2015 Barrhead News Expiry date 10.04.2015

SITE NOTICES: None.

SITE HISTORY:

2007/0849/TP. Re-cladding and installation of replacement windows. Granted 28.11.2007
2009/0105/TP. Change of use from dwellinghouse to office/community radio station (former janitor's house). Granted 18.05.2009
2010/0593/TP. Installation of replacement windows and cladding. Granted 06.10.2010
2011/0224/TP. Installation of replacement windows and cladding panels. Granted 11.05.2011
2011/0640/TP. Construction of a synthetic football pitch, including fencing, floodlighting and access path. Approved subject to conditions 21.12.2011
2013/0217/TP. Siting of three containers for use as changing and storage facilities and erection of 2.4 metre high perimeter fencing (at rear of Johnny Kelly Pavilion). Approved subject to conditions 05.06.2013
2013/0767/TP. Erection of replacement high school with associated parking, accesses and landscaping; formation of synthetic playing field and running track with erection of six 15 metre high floodlights. Approved subject to conditions 02.04.2004
2013/0808/TP. Formation of skate/bmx park (at rear of Johnny Kelly Pavilion). Approved subject to conditions 14.03.2014

REPRESENTATIONS:

A total of 4 representations have been received:

Representations can be summarised as follows:

Impact on views
Proximity to houses/dominant
Overlooking/privacy
Light Pollution
Noise
Traffic generation and congestion
Risk of Flooding

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Flood Risk Assessment	Considers the risks of various sources of flooding to the site and any potential risk of flooding downstream from the proposed development. Indicates parts of the site is located within the Aurs Burn floodplain. The proposed school building and hard surfaces are to be raised above the floodplain with floodplain volume compensation to be provided on site to ensure there is no loss of floodplain.
Pre-application consultation report	This report summarises the statutory pre-application consultation carried out by the developer with the community.
Transport Assessment	This assesses the traffic to be generated by the development and its impact on the local roads network.
Extended Phase 1 Habitat Survey	A desk based survey to obtain and review ecological information at this site and surrounding area. The survey indicates there are no significant habitats or protected species at this location that would be affected by the development.
Site Investigation Reports	Investigates the underlying ground conditions to advise on the geotechnical design and a contaminated land assessment for the feasibility of the development.
Tree Survey	Surveys the trees at this location and indicates in general the trees to be in reasonable condition for their age and species. The Survey recommends the removal of six trees.
Design and Access Statement	This Statement explains the design context relating to the proposed development and its relationship to its surroundings. The Statement also explains the design concept and organisation of the proposed building.
Drainage and SUDS Strategy	Indicates the strategy for dealing with the drainage from foul and surface water from the development and where it is to discharge to including the provision of attenuation for the surface water drainage.

ASSESSMENT:

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

Although the location of the new school building is identified in the adopted Local Development Plan as important urban greenspace it is not considered that the proposal is a significant departure from the Development Plan. As a consequence the application does not have to be the subject of a pre-determination hearing by the Planning Applications Committee before being determined by the full Council.

The background to this application should be noted in the first instance. Planning permission was granted on 2nd April 2014 under 2013/0737/TP for the erection of a replacement high school with associated parking, accesses and landscaping as well as a synthetic playing field with running track. The replacement high was to have been constructed to the rear of the existing school building in Cowan Park with the new synthetic playing field constructed further into Cowan Park. Following demolition of the existing school building the area was to be landscaped to function as the landscape setting for the new school as well as parkland and will be brought back into park

use. However the land in Cowan Park is held in the "common good" that means it is not possible to build on this land and this has resulted in the change to the current application site.

The site is the existing Barrhead High School at Aurs Road, Barrhead and also includes the Johnny Kelly Pavilion to the south as well as the adjacent car park, skate park and playing fields. Although the existing enclosed floodlit multi-use games area is shown within the application site it is to remain unaltered. The overall identified application site is approximately 9.25 hectares however the site of the proposed school building and its grounds are approximately 2.5 hectares. Cowan Park is located in the general area to the east of the application site and the Aurs Burn runs along the south side of the application site. The nearest houses to the application site are in Aurs Place.

The proposed school building is to be constructed in the area of the Johnny Kelly Pavilion, its car parking and playing fields and is to be on a general north-east to south-west alignment. The new building is to have a teaching block three storeys high with a PE block at its north-east side which is lower in height than the teaching block. There are to be outdoor games courts adjacent to the PE block. The area at the rear of the new school building is to be landscaped and further to the rear and adjacent to the Aurs Burn a habitat/wetland area is to be formed. This habitat/wetland area is to be outwith the grounds of the school and is to be fenced off from it with gated access into the area and paths through it.

The proposed school building is to be approximately 149m long, 42.5m at its widest and 14.5m at its highest point which is over the teaching block. The PE block is to be approximately 10.6m high. The main external materials are to be a combination of stone and metal cladding panels with facing brick on the walls and cladding panels on the roof.

The existing school building is elevated above the application site by approximately 2m to 4m. The majority of the application site is generally level with a shallow drop in levels towards the Aurs Burn.

The ground levels in the area where the new school building is to be constructed are to be raised by approximately 2m.

A storage building is to be constructed in the service yard between the new school building and Aurs Road. This building is to be approximately 26.7m long, 6.4m wide and 2.8m high. The external materials are to be facing brick with stone cladding on its rear elevation and a standing seam roof.

A new synthetic playing field surrounded with a running track is to be constructed in the area where the existing school building is located following its demolition. The new playing field and running track are to be on a general north-west to south-east alignment. Six individual floodlights are also to be around the new playing field/running track. 3m high fencing is to be erected around the new pitch. The area around the playing field and car parking is to be landscaped.

Vehicular access is to be taken off Aurs Road and leads to the proposed car parking area that is to be between the new school building and the new playing field. A separate service access to the new school building is to be taken off Aurs Road to the north-west of Aurs Place.

2.4m high weldmesh fencing is to be erected at the rear and side of the new school building with 1.5m high fencing at its front. The existing fencing around the existing school is to be retained and refurbished.

The submitted drawings also indicate the Johnny Kelly Pavilion being relocated to the grass area in Cowan Park at the rear of the existing school building. However this is outwith the application site and does not form part of this planning application and will require planning permission in its own right. The submitted drawings indicate the skate park being re-located to the north-west part of the site

The proposed development is to take place in two general phases with the new school built and thereafter the existing school will be demolished to allow the construction of the new synthetic pitch and running track, car parking and skate park.

There is an existing wetland habitat area in the area to the south-east part of the application site adjacent to the Aurs Burn. A compensatory flood storage area is to be formed in this general location that is also to act as a wetland habitat. This area is to be excavated by between approximately 1m and 2m. The area is to extend to approximately ...sqm.

The nearest houses to the development site are in Aurs Place to the south-west of the site. The proposed building is to be approximately 30m from the rear boundary of the properties at 1, 3 and 5 Aurs Place and the separation distance increases from 7 Aurs Place onwards because of the tapering boundary.

The application has to be assessed against the development plan as well as any material planning considerations.

The site of the existing Barrhead High itself is identified as being in the general urban area covered by Policy E1 of the adopted East Renfrewshire Local Plan whereas the school grounds are covered by Policy L1. Policy L1 aims to safeguard important urban green spaces and will resist development which would prejudice their continued leisure and recreational use or amenity or wildlife value. Development will only be acceptable in such areas only in very exceptional circumstances, where the benefits outweigh the cost of loss of greenspace and provided that the leisure, recreational use, amenity or wildlife value is not significantly prejudiced. It should be noted that Policy L1 also covers a wider area outwith the school in Cowan Park as well as the Johnny Kelly Pavilion, adjacent skate park and enclosed multi-use games area. Although the area where the new school building is to be constructed is covered by Policy L1 it is considered to be a brownfield site because of the existing building, car park, etc.

The application site is also located on part of the Dams to Darnley Country Park and covered by Policy L9 of the adopted Local Plan. Policy L9 supports the development, promotion and management of the Country Park. The development site only occupies a limited extent of the Country Park adjacent to the existing urban area. It is considered that the urban area has an influence at this edge of the Country Park and as a consequence it is not considered that the proposed development will have a significant impact on the Park.

The site of the existing Barrhead High School is again identified as being part of the general urban area covered by Policy D2 of the proposed Local Development Plan whereas the school grounds are covered by Policy D5. Policy D13.4 indicates support for a replacement school at this location. Policy D5 indicates that urban greenspaces will be safeguarded. Proposals which would result in the loss of important greenspace will be resisted unless it can be demonstrated that there is no significant adverse impact on the landscape character and amenity of the site and surrounding area; there will be no loss of public access; there will be no or limited impact on nature conservation; the loss will result in a community use, the benefit of which would outweigh the loss. Policy D13.9 relates to improvements in Cowan Park to include a community sports hub and further park and recreational improvements. Cowan Park is also identified as part of the Dams to Darnley Country Park and Policy D10.1 supports improvements to the park.

The redevelopment of the school at this location as well as the synthetic pitch/running track accords in general with the policies referred to above. The proposed development will provide new and improved facilities both in terms of a new school building and upgraded sports facilities. The upgraded sports facilities will also be available for use by the community outwith school hours which is a benefit for the community.

The existing school building is mainly two storeys high however at its south side there is a water tank and a chimney that protrude above the highest roof level. The change in position of the school building combined with the design and appearance of the proposed building will inevitably result in a change in the visual impact at this location. However it has to be considered whether this will result in adverse visual impacts particularly on the nearby houses.

The existing school building is considered to be visually prominent at this location because of its scale and position both in relation to Aurs Road and when viewed from Cowan Park. There is little in the way of visual mitigation because of the generally open nature and views across Cowan Park. The area in which the new school is to be constructed is unremarkable visually and there is an element of visual clutter because of the existing building as well as the fencing and floodlights at the MUGA.

The proposed development will have a visual impact because of the design of the new building, the proposed storey heights and its new position. It is the extent of these changes that has to be assessed as well as any potential impact on the nearby houses.

The position of the new school building in the previous planning permission 2013/0767/TP resulted in the visual impact of the development being viewed mainly in the context of the expanse of Cowan Park and also was set back from Aurs Road. The position of the school building that is now being proposed results in a different visual impact than that approved under 2013/0767/TP as well as bringing it closer to Aurs Road. However on the approaches to the site along Aurs Road from the north the new school building would be viewed behind the new open space, synthetic pitch and car parking to be constructed. On the approaches along Aurs Road from the south the new school building would be viewed against a backdrop of buildings and vegetation to the north with Cowan Park forming part of this backdrop. It is considered that in overall terms the visual impact of the development will be localised.

It is acknowledged that the proposed school building is a large building and its impact will be the greatest on the nearest houses to the site. A long elevation will be presented towards the rear of some of the houses in Aurs Place. However the new school building is approximately 30m from the rear boundary of these houses and it should be noted that the houses are positioned at an angle to the proposed building. The separation distance combined with how the existing and proposed buildings are orientated to each other is considered to lessen the visual impact. The submitted plans also show proposed tree planting in the grass area that is currently at the rear of 1, 3, 5 and 7 Aurs Place with such planting extending to the east parallel to the Aurs Burn. It is considered that this planting will assist in lessening the impact. The planting will also soften this edge of the site which is, with the exception of the burn, generally featureless.

The synthetic pitch and running track will also have a visual impact because of where they are proposed to be located. The greatest visual impact will be as a result of the proposed floodlights although they are relatively slimline in appearance. However the visual impact of the pitch and running track in association with the floodlights has to be again considered in terms of the expanse of Cowan Park that acts as a backdrop to the development. This aspect of the development will be most noticeable when the floodlights are on.

Similar to other pitches that have been applied for recently, the proposed pitch and running track are intended to be available for community use after school hours. At this time the intended times of use outwith school hours has not been given however the hours of use of the existing synthetic pitch behind the Johnny Kelly Pavilion (approved under 2011/0640/TP) are restricted to 10pm. The aforementioned pitch is closer to residential properties than the proposed new pitch and as a consequence it is considered that noise disturbance is less likely to occur. However in order to be consistent with the decision on the existing pitch the hours of use should also be restricted to 10pm.

The part of the site adjacent to Aurs Road lies within the 1 in 200 year indicative flood map produced by SEPA. The indicative flood plain covers the areas adjacent to the Aurs Burn that flows around the south side of the playing fields/Cowan Park. The information produced by SEPA indicates that there is a medium to high likelihood of river flooding, as well as surface water flooding, associated with the Aurs Burn. The impact on the flood plain of the development is an important aspect in assessing this application. A Flood Risk Assessment has been submitted with this planning application and this has been examined by SEPA.

SEPA has indicated that the ground levels are to be raised to above the 1 in 200 year flood event level and the finished floor level of the school building will be located above the 1 in 1000 year event. SEPA has no objection to the development subject to the mitigation measures and

principles in the Flood Risk Assessment are implemented. This can be addressed by a planning condition.

In terms of the objections that have been received and not already considered in the assessment above the following comments are made. The potential impact on views is not considered to be a material planning consideration. The proposed development includes floodlights around the proposed pitch/running track which are at a distance from Aurs Place. It is not considered that their operation will have a significant impact on the amenity of these properties because of the distance and the intervening new school building. There are likely to be other external lights however a planning condition can be attached to require their details to be submitted for further written approval and the details will include the angle and intensity of illumination and hours of operation.

The Council's Roads Service has been consulted on the application and has indicated that in terms of impact, the travel patterns established for the existing site are not expected to alter dramatically in respect of the new school. Roads Service has therefore no objections to the application in terms of potential traffic congestion.

Conclusion

Although the proposed replacement school and associated playing field is to be constructed on part of Cowan Park and is technically a departure from the development plan, the development will result in a reconfiguration of buildings and open space at this location. An assessment of the visual impact of these changes has been given above and is considered to be acceptable. The proposed redevelopment would provide a new and modern school building and facilities which is considered to be a significant community benefit. The development is considered to strike a balance between the characteristics of the site and providing a new school building with associated facilities.

Taking all of the above into account it is considered that this is an acceptable development at this location.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None

CONDITION(S):

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

Reason: In order to ensure a properly programmed development.

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

Reason: To ensure the development is acceptable in appearance.

3. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

4. Development shall not commence until a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Details of the scheme shall include (as appropriate):-
- i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
 - ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;
 - iii) Other structures such as street furniture and play equipment;
 - iv) Details of the phasing of the landscaping works;
 - v) Proposed levels; and
 - vi) Schedule of maintenance.

Thereafter the landscaping works shall be implemented as approved.

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

5. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the surface water management details shall fully be implemented as approved. The maximum site surface runoff shall be 8 litres per second per hectare.

Reason: In the interests of sustainable development.

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

Reason: To prevent noise nuisance to the surrounding area.

7. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless otherwise agreed in advance in writing by the Head of Environment (Property, Planning and Regeneration).

Reason: To prevent noise nuisance to the surrounding area.

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

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

9. The synthetic pitch/running track and associated floodlights shall not be used after 10pm unless agreed in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: In the interests of amenity and to avoid disturbance to nearby residential properties.

10. Development shall not commence until details of all external lighting (including details of the lighting units, the angle and intensity of illumination and hours of operation) have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the lighting shall be implemented as approved.

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

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

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

12. Wheel washing facilities must be provided within the site during construction and demolition operations.

Reason: To prevent mud deposits and deleterious materials being carried onto the public road.

13. The synthetic pitch hereby approved shall be surfaced with a synthetic material that will be designed and constructed by a recognised (e.g. The Sports and Play Construction Association registered) specialist pitch contractor. Development shall not commence until the details of the contractor and the pitch specification have been submitted and approved in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To ensure an appropriate synthetic pitch is constructed at this location.

14. Development shall not commence until details of the phasing of the synthetic pitch/running track have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). The details shall provide for the pitch/running track to be available for use no later than one year after the opening of the new school. Thereafter the pitch/running track shall be implemented in accordance with the approved phasing scheme.

Reason: In order to ensure a properly programmed development.

15. The mitigation measures and principles as outlined in the Barrhead School Ramboll Flood Risk Assessment (dated 04 March 2015) shall be fully implemented on site.

Reason: In the interests of sustainable development and to avoid flood risk.

16. Visibility splays of 2.5 metres by 90 metres by 1.05 metres shall be provided and maintained in both directions at the junction of the new vehicular access and the service yard access with Aurs Road.

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

ADDITIONAL NOTES:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should

be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of SEPA's website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at:

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

Tel: 01698 839000

The applicant is reminded that a Road Opening Permit under Section 56 of the Roads (Scotland) Act 1984 is required for any alterations to the public road.

The applicant is advised that a Section 96 agreement under the Roads (Scotland) Act 1984 is required in relation to the condition of the public road.

ADDED VALUE:

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

BACKGROUND PAPERS:

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

Ref. No.: 2015/0146/TP
(SEMC)

DATE: 3rd June 2015

DIRECTOR OF ENVIRONMENT

Reference: 2015/0146/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 L1

The Council will safeguard the important urban Greenspaces and wider green network identified on the Proposals Map and will resist development which would prejudice their continued leisure and recreational use or amenity or wildlife value.

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) outlines the Council's most up to date statement of planning policy. The LDP has been examined by the Scottish Government and the Examination Report has been published. It is now intended to adopt the LDP.

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 D5 Protection of Urban Greenspace

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

- There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;
- There will be no loss of public access;
- There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;
- The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

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

Policy D13 Community, Leisure and Educational Facilities

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

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

- Appropriate alternative local provision of at least equivalent suitability and accessibility, will be provided; or
- That the existing use is no longer required/viable; or
- There is no demand and the facility is incapable of being made viable or adapted for other community, leisure or educational uses.

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

Policy D10 Environmental Projects

The Council will continue to support Dams to Darnley Country Park (D10.1) and Whitelee Access Project (D10.2), as shown on the Proposals Map and Schedule 1, and the implementation of agreed priorities set out in the relevant management/ access plans for each project.

The Council will also support and promote plans and projects at Rouken Glen Park (D10.3) as shown on the Proposals Map and Schedule 1, as part of the Heritage Lottery Fund.

The Council will seek improvements to Dams to Darnley Country Park through Policies M2 and Policy M2.1 and M2.2. Future Supplementary Planning Guidance will be prepared for the Country Park to reflect the aspirations of Policies M2 and M2.1 and 2.2.

GOVERNMENT GUIDANCE:

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