

**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 the Planning Applications Committee on
12th August 2015

Reference No: 2015/0107/TP

Ward: 1

Applicant:

Wallace Land Investments
2 Coates Crescent
Edinburgh
EH3 7AL

Agent:

G L Hearn
241 St Vincent Street
Glasgow
G2 5QY

Site: Land at Neilston Road, north-east of Gleniffer View and south-west of Fairways, Neilston, East Renfrewshire

Description: Residential development with associated access, landscaping, SUDS and other ancillary development (planning permission in principle) (Major)

Reference No: 2015/0253/TP

Ward: 5

Applicant:

Mr David Hepburn
2 Westerlands Gardens
Newton Mearns
East Renfrewshire
G77 6YJ

Agent:

Jim Kerr
146 West Regent Street
Glasgow
G2 2RQ

Site: Between 14 and 16 Newton Place, Newton Mearns, East Renfrewshire, G77 5PG

Description: Erection of two detached dwellinghouses with formation of improved open space

REPORT OF HANDLING

Reference: 2015/0107/TP

Date Registered: 23rd February 2015

Application Type: Planning Permission in Principle This application is a Major Development

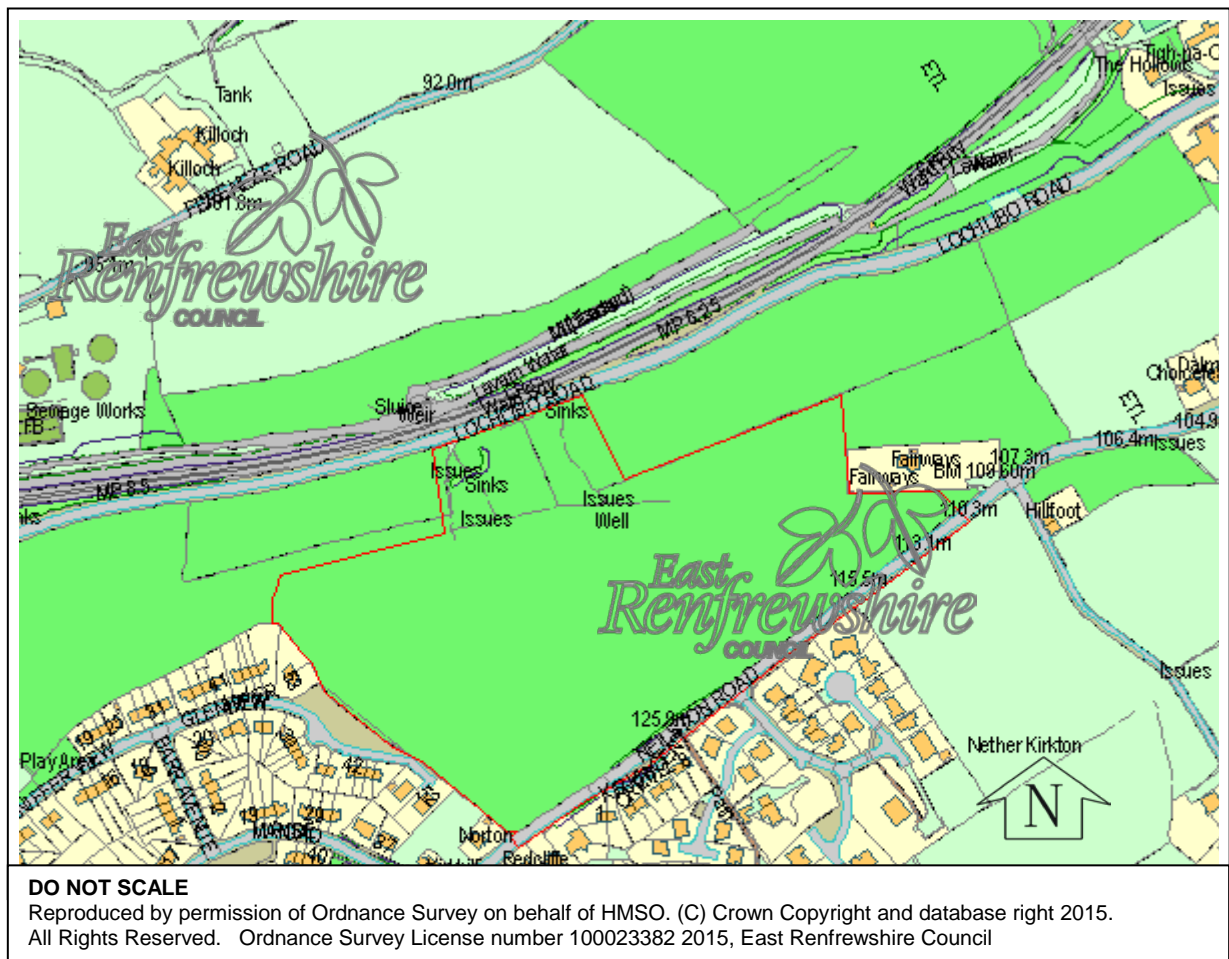
Ward: 1 Neilston Newton Mearns North Uplawmoor

Co-ordinates: 248318/:657683

Applicant/Agent:	Applicant:	Agent:
	Wallace Land Investments	G L Hearn
	2 Coates Crescent	241 St Vincent Street
	Edinburgh	Glasgow
	EH3 7AL	G2 5QY

Proposal: Residential development with associated access, landscaping, SUDS and other ancillary development (planning permission in principle) (Major)

Location: Land at Neilston Road, north-east of Gleniffer View and south-west of Fairways
Neilston
East Renfrewshire



CONSULTATIONS/COMMENTS:

East Renfrewshire Council Outdoor Access Officer	Supports the access connection indicated in the west of the site which provides a link from the site to the wider green network. Improving the path beyond the site by means of a developer contribution would mitigate the loss of green network and give high quality access to the surrounding countryside.
East Renfrewshire Council Affordable Housing and Development Contributions Officer	The applicant has engaged in discussions in respect of development contributions and contributions towards affordable housing provision. The applicant has agreed to enter into a legal agreement once the details of the sums to be provided have been finalised.
East Renfrewshire Council Roads And Transportation Service	No objection subject to conditions.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions.
Scottish Water	No objection.
Scottish Environment Protection Agency	No objection.
Scottish Natural Heritage	Does not intend to make any specific comment on this proposal.
Neilston Community Council	Does not view the development particularly favourably as it is contrary to objectives of the Town Charter as it is not infill development. Suggests various planting and screening issues are addressed when the details are considered. Those include: screening of "Fairways" from the development site; appropriate planting treatment along Neilston Road; and a financial contribution towards community facilities in Neilston.

PUBLICITY:

13.03.2015 Barrhead News

Expiry date 27.03.2015

SITE NOTICES: None.

SITE HISTORY: None relevant.

REPRESENTATIONS:

A total of 17 representations have been received and the grounds of objection can be summarised as follows:

- Loss of greenbelt
- Impact on wildlife
- Loss of open space used for walking
- Increase in traffic congestion, associated pollution and road safety issues
- Insufficient parking in Neilston at present
- Coalescence with Barrhead

Noise and pollution during construction
Services in Neilston are already stretched
Objection to footpath link to Gleniffer View
No need/demand for development
Objection relating to indicative layout
Visual impact of new houses
Loss of light
Loss of view
Reduction in property values.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Design Statement	This Statement analyses the site's context, topography, character and identity and explores responses that might inform the detailed design and assess strategy. It concludes that the site represents an excellent opportunity for development, to enhance the built environment and reinforce the settlement edge.
Drainage Strategy	This Strategy outlines the existing and proposed drainage of the site and the existing ground conditions. It states that SUDS design and foul drainage will accord with the requirements of the Council, Scottish Water and SEPA. It states that any flooding constraints to the development of the site would be unlikely but further confirmation of flooding in the form of a Flood Risk Assessment may be necessary.
Ecological Report	This Report advises that an Amphibian Survey to test for the presence of great crested newts and an Assessment of the greater butterfly orchids on the site should be carried out. The applicant has carried out both. The Amphibian Survey shows that no great crested newts were present in 2015. The greater butterfly orchid assessment concludes that there is no significant population on the application site and the loss of a small number of plants on the site would not compromise the larger Local Biodiversity Site.
Landscape Statement	The Landscape and Visual Impact Analysis Report provides a landscape character appraisal for the site within the context of the wider topography. It assesses the impact of the development of the site at several visual receptors. The analysis concludes that the visual envelope of the site is limited the immediate surrounding properties on the edge of Neilston and that the development of the site would be a logical and sensible extension to the settlement.
Transport Assessment	This Assessment concludes that the site complies well with the guidance set out within the current national and local transport policy on the basis that it has access to both frequent train and bus services and within short walking distance of key local amenities. It demonstrates that the potential traffic generation associated with the development of 150 houses on the site can be accommodated within the existing highway infrastructure.
Pre-application consultation report	The Report summarises the statutory pre-application consultation with the community carried out by the developer.

ASSESSMENT:

This application is a Major Development under the terms of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 and therefore has to be presented to the Planning Applications Committee for determination. In addition more than ten objections have been received to the application.

The application site comprises an area of agricultural improved grassland and lies on the north east edge of Neilston between the A736 Lochlibo Road and Neilston Road, Neilston. It measures approximately 6 hectares in area and slopes generally downwards from south to north. The northern part of the site comprises a break of slope and a steeper fall down towards Lochlibo Road. Three watercourses drain from the northern part of the site, issuing from near the break of slope and flowing down towards Lochlibo Road before entering culverts and flowing into the Lavern Water.

The identified application site generally accords with the allocated housing site in the adopted East Renfrewshire Local Development Plan (LDP) with a notional capacity of 150 houses (Policy SG2.3). Those parts of the allocated LDP site outwith the planning application site red line site boundary are designated in the LDP as part of the Green Network and are safeguarded as Urban Greenspace. It should be noted that the applicant has shown the remainder of the allocated housing site as being within their control. The application site is also partially overlapped by a Local Biodiversity Site (LBS).

The site is presently used as an informal walking area and a number of established desire lines traverse the site linking into the adjacent areas safeguarded as Urban Greenspace.

Planning Permission in Principle is sought for the erection of residential development on the site. The submitted plan indicates a single point of vehicular access off Neilston Road in the area opposite 6 Nether Kirkton Way and this is approximately 80 metres north east of the junction of Neilston Road with Nether Kirkton Avenue. Potential footpath connections are identified into the area of open space at the end of Gleniffer View and to the open space behind Gleniffer View. Another plan has been submitted (identified as a potential site layout) that indicates a SUDS area towards the centre of the site. This plan indicates that a footpath/walking route to be provided along the frontage of the site to link with the existing footpath at the property known as "Norton" at the south east corner of the site towards Neilston village. It should be noted that this is an application for planning permission in principle the potential internal layout of the development is not being considered in the assessment of this application.

The application is required to be assessed against the relevant policies of the adopted East Renfrewshire Local Development Plan and any material planning considerations.

The application site lies within the area covered by Policy M8: Neilston Village Regeneration in the adopted East Renfrewshire Local Development Plan (LDP). Policy M8 identifies the application site as an area where the Council will be supportive of residential development (60 homes phased by 2025 and 90 homes phased post 2025). The policy also requires that the outer boundaries of the site provide open space and incorporate landscaping to provide a robust green belt boundary and to prevent coalescence with Barrhead to the north east. Further to Policy M8, Policy SG3 identifies the site as a site for the phased release of land for housing development. The proposal is considered to comply with Policies M8 and SG3 as it relates to residential development on a site identified for that purpose in the adopted LDP.

Strategic Policy 3 of the adopted LDP requires that developers enter into agreements to provide new or improved infrastructure or services to mitigate any impacts arising from their developments. In this instance the developer has agreed in principle to the provision of commuted sums for developer contributions to local services and infrastructure. The details of the sum to be paid will be agreed before the agreement is concluded.

Policy SG5 of the adopted Local Plan requires that for residential development of 4 or more dwellings, provision is to be made for a minimum of 25% affordable housing. This can be on-site, or by means of a commuted sum payment, or off-site. The relevant national guidance is Scottish Planning Policy 3 "Planning for Housing" and Planning Advice Note 2/2010. Both those documents set out the Scottish Government's position in respect of housing. They include a number of considerations including design, layout and the delivery of land for housing. In addition, they also acknowledge the necessity to establish and support a strategy to provide affordable housing. The PAN confirms a benchmark figure of 25% affordable housing on new housing sites, which accords with the terms of Policy SG5.

The Council's Supplementary Guidance on Affordable Housing acknowledges the national position and has been formulated in an effort to realise an affordable housing provision on each site or a contribution in the form of a commuted sum that will be utilised to provide affordable housing at an alternative site.

This matter has been put to the applicant and it has been agreed in general terms that a commuted sum will be paid. The precise sum will be agreed prior to the conclusion of the legal agreement.

Policy D4 requires that the Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the green networks shown on the proposals map. In this instance application site comprises part of an area of land used on an informal basis for walking and countryside access. In order to mitigate the impact of the development on the loss of part of this resource, the applicant has indicated access points from the site into the green network. A condition can be included to secure the provision of this access in the detailed design stage and hence, compliance with Policy D4.

It is acknowledged that there will be a resultant visual impact of the development primarily as a result of residential development of this open field. However the site has been allocated in the LDP for housing development and a full detailed assessment of the visual impact of the housing development will be made when the details of the development are subsequently applied for. The safeguarding of the adjacent sites as Urban Greenspace will ensure that the development does not result in coalescence with Barrhead. It will also be expected that the detailed development will incorporate robust boundary planting in order to reinforce and present a defensible boundary to the countryside beyond and this requirement will be addressed in a condition and the specific details will have to be applied for.

It is therefore considered that, subject to the conclusion of the necessary agreements referred to above, the proposal complies with the relevant policies of the adopted Local Development Plan.

The other material considerations that require to be assessed in the consideration of this application are the supporting reports, the consultation responses and the representations received.

The consultees have not raised objections to the application or recommended that it be refused. Any matters that they have raised can be addressed by attaching appropriate planning conditions or can be handled through legal agreements.

In terms of the objections that has been received and not already addressed above the following comments are made:

The findings of the Ecological Assessment and the subsequent Amphibian Survey and Greater Butterfly Orchid Assessment would not preclude the development of the site;

The retention of the Urban Greenspace and the proposed footpath link into the area will help mitigate the loss of the area;

The Council's Roads Service has not objected to the development on roads safety grounds;

It is not considered that the additional traffic generated by this development would give rise to such additional pollution that would require the application to be refused on those grounds. The Council's Roads Service has not objected to the development on the grounds of traffic generation;

The layout submitted is indicative only and is not being considered as part of this application for Planning Permission in Principle. At this stage loss of light/overshadowing cannot be considered as these matters will be assessed when the details of the development are applied for;

The footpath link to Gleniffer View is in order to provide additional routes in and out of the development and for the development to be easy to move around and beyond in accordance with Scottish Government Policy contained in Designing Streets;

Loss of view and reduction in property values are not material planning considerations.

Overall conclusion

The site is identified in the recently adopted East Renfrewshire Local Development Plan as a housing development site. Although this application is for the principle of residential development on the site the adopted Local Development Plan now establishes the principle of this development. As a consequence the development is considered to accord with the relevant development plan policies.

RECOMMENDATION: Disposed to grant subject to the satisfactory conclusion of an agreement under the terms of section 75 of the Town and Country Planning (Scotland) Act relating to affordable housing contributions and development contributions.

PLANNING OBLIGATIONS/AGREEMENTS:

Relating to an affordable housing commuted sum and payment of development contributions relating to local services and infrastructure.

CONDITIONS:

1. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the proposed site layout. The proposed layout shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas. The layout shall be informed by the results of a noise assessment that shall be carried out in accordance with the principles of Planning Advice Note 1/2011; Planning and Noise.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

2. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the proposed floor plans and elevations of all buildings and shall show dimensions as well as the type and colour of all external materials.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

3. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to all walls (including retaining walls) and fences to be erected on site.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

4. Development shall not commence until details of the phasing of the development have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved phasing scheme.

Reason: In order to ensure a properly programmed development.

5. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning

authority relating to the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

6. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the visibility splays to be provided in both directions at the junction of the new access with the existing road. For the avoidance of doubt, the visibility splay at the junction of the access to the site from Neilston Road shall not be less than 2.5 metres by 90 metres by 1.05 metres.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

7. Further to the terms of condition 1 above, the detailed site layout shall include:
- i) a 2 metre wide footpath that shall be constructed along the entire frontage of the site with Neilston Road;
 - ii) a 1.5 metre wide footpath that shall provide a link from the site into the area of urban greenspace in the north west corner of the site;
 - iii) 1.5 metre wide footpath that shall link the site with Gleniffer View; and
 - iv) details of works to the public road to provide a vehicular right turn storage facility together with pedestrian islands at the junction of the entrance to the site with Neilston Road.

Those works and footpaths shall be formed to the satisfaction of the planning authority prior to the occupation of any dwellinghouse;

Reason: In the interest of public road safety and to ensure adequate pedestrian links from the site to the adjacent Urban Greenspace.

8. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority to the type and colour of all hard surfacing materials.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

9. Development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the details of surface water management and Sustainable Urban Drainage Systems proposals.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

10. Development shall not commence until an application for approval of the following matters has been submitted to and approved in writing by the planning authority relating to the proposed landscaping at the site. 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) Details of a 20 metre wide structural landscaping belt to be implemented on the green belt boundary;
 - iv) Other structures such as street furniture, play equipment;
 - v) Details of the phasing of these works;
 - vi) Proposed levels;
 - vii) Schedule of maintenance.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

11. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to a scheme to decontaminate/remediate the site. The scheme shall contain details of:
- i) the nature, extent and type(s) of contamination on the site;
 - ii) measures to treat/remove contamination to ensure the site is fit for the use proposed;
 - iii) measures to deal with contamination during construction works;
 - iv) the phasing of the decontamination/remediation works.

Before any part of the development is occupied or brought into use the approved measures to decontaminate/remediate the site shall be fully implemented unless a phased completion or occupation is agreed as part of the approved scheme in which case the phased completion is undertaken in accordance with the approved scheme.

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

12. 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 minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority.

Reason: To prevent noise nuisance to the surrounding area.

13. Development shall not commence until details of vehicle wheel cleaning facilities and a highway cleaning strategy have been submitted to and approved in writing by the planning authority. Thereafter the approved vehicle wheel cleaning facilities and highway cleaning strategy shall be implemented as approved. All construction vehicles exiting the site shall have all tyres and wheels cleaned before entering the highway.

Reason: To ensure mud and deleterious materials are not transferred to the highway.

14. Development shall not commence until an application for approval of the following matters has been submitted to and approved in writing by the planning authority relating to a scheme for the provision of an equipped play area and active open space within the development site. The scheme shall include:-

- i) details of the type and location of play equipment, seating and litter bins to be situated within the play area;
- ii) details of the surface treatment of the play area, including the location and type of safety surfaces to be installed;
- iii) details of fences to be erected around the play area;
- iv) details of the phasing of these works; and
- v) details of the hard and soft landscaping and planting of active open space to be provided within the development.

Thereafter measures that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

15. Development shall not commence until details of scrub and woodland planting to be implemented on the northern and eastern boundaries of the site, along with a planting schedule, as referred to in the Landscape and Visual Impact Analysis Report (78 Landscapes, February 2015, section 5.1) have been submitted to and approved in writing by the planning authority. Thereafter the approved planting shall be implemented in accordance with the approved planting schedule.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure matters are acceptable at this location.

ADDITIONAL NOTES:

The applicant is reminded that a Construction Consent (S21), a Road Bond (S17) and a Road Opening Permit (S56) under the Roads (Scotland) Act 1984 are required.

It is a requirement of The Water Environment (Controlled Activities)(Scotland) Regulations 2011 (as amended) (CAR) to provide a SUD 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 GBR's 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.

Details of SEPA's regulatory requirements and good practice advice for the applicant can be found on their website 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

Tel: 01698 839000

The applicant is reminded that the requirements of Scottish Water are to be complied with and to submit a fully completed Development Impact Assessment form to them.

ADDED VALUE:

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

The provision for community, environmental and/or economic benefit has been achieved during the processing of the application in accordance with the Council's Local Plan policies.

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

BACKGROUND PAPERS:

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 Derek Scott on 0141 577 3034.

Ref. No.: 2015/0107/TP
(DESC)

DATE: 5th August 2015

DIRECTOR OF ENVIRONMENT

2015/0107/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

Adopted East Renfrewshire Local Development Plan

Policy Strat3

Regeneration and Consolidation of Communities

The Council's broad strategy for the future planning of the area is based on the regeneration and consolidation of existing communities and the protection and enhancement of important urban greenspace, the Green Belt and Countryside Around Towns (CAT). There are a number of key components to this strategy as illustrated in Diagram 2 - Strategic Context.

These include:

- * Supporting sustainable local economic growth.
- * Regeneration and renewal of existing town and neighbourhood centres;
- * Completion of Established Urban Expansion Areas;
- * Provision of additional private housing in the Levern Valley area to meet the requirements of the Structure Plan;
- * Provision of Affordable Housing;
- * Seeking the most efficient use of Council assets;
- * Rationalisation of business and industrial land supply throughout the area;
- * Promotion of Barrhead as a Strategic Industrial and Business Location;
- * Improvement of Junction 4 on the M77 and new road link between Barrhead, M77 and Newton Mearns;
- * Motorway Service Area;
- * Protection and enhancement of important urban greenspace;
- * Protection and enhancement of the Green Belt and CAT area;
- * Dams to Darnley Country Park;
- * Whitelee Access Project;
- * Potential for Renewable Energy;
- * Improved community facilities; and
- * Improved access and transportation facilities.

Policy M8

Neilston Village Regeneration

Development within the village of Neilston as defined on the Proposals Map will be permitted in accordance with Policy M1 to be defined further through the preparation of an Infill Development Strategy.

The Infill Development Strategy will be prepared by the Council in partnership with the Neilston Town Team, landowners, developers and key agencies and will be adopted by the Council as Supplementary Planning Guidance.

The following proposals will be supported in accordance with the Infill Development Strategy:

- Environmental improvements to public realm areas in the village centre;
- Infill development opportunities compatible with the Charter and the character and amenity of the village;
- Community/leisure facilities;
- Restoration of Crofthead Mill (Policy D11 and Schedule 5) with the potential for a mixed use development of housing and employment focussed on the mill buildings (200 units phased post 2025);
- Cowdenhall access / woodland management improvements associated with the restoration of Crofthead Mill;

Improved park and ride at Neilston Train Station (Policy SG10 and Schedule17); and Relocation of Neilston Juniors Football Club to Kingston Playing Field with the redevelopment of the Brig o' Lea football ground for residential development of approximately 35 homes phased by 2025. The possibility of incorporating the new stadium within a wider sports/community hub at Kingston playing field will be explored. Depending on the scale of proposals, there may be some limited scope for enabling residential development.

The Council is also supportive of residential development at the following locations as shown on the Proposals Map and Schedule 10 and in accordance with Policy SG3:

Neilston Road - 60 homes phased by 2025 and 90 homes phased post 2025 as safeguarded for longer term development. Requirement to provide appropriate open space and landscaping within the east of the site to prevent coalescence;

Kirkton Road - 78 homes phased post 2025 as safeguarded for longer term development; and Holehouse Brae - 65 homes phased post 2025 as safeguarded for longer term development.

The outer boundaries to the above developments should provide a robust green belt boundary which provides a defence to further development.

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, 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 impervious surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management 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. Where 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,

including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all 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.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

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 Plan.

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.

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.

The provision of the green network will be a core component of any master plan.

Further detailed information and guidance, which all proposals require to reflect, is set out in the Green Network and Environmental Management Supplementary Guidance.

Policy D5

Protection of Urban Greenspace

Urban greenspace, including outdoor sports facilities, 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.

Additionally, for outdoor sports facilities, the following will have to be demonstrated:

The proposal is ancillary to the principal use of the site as an outdoor sports facility;

The proposal involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;

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; or

The relevant strategy, prepared in consultation with Sportscotland, shows that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

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

Policy SG3

Phasing of New Housing Development

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

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

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

Policy SG5

Affordable Housing

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

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

GOVERNMENT GUIDANCE:

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

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

REPORT OF HANDLING

Reference: 2015/0253/TP

Date Registered: 20th May 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South

Co-ordinates: 254179/:655012

Applicant/Agent:

Applicant:

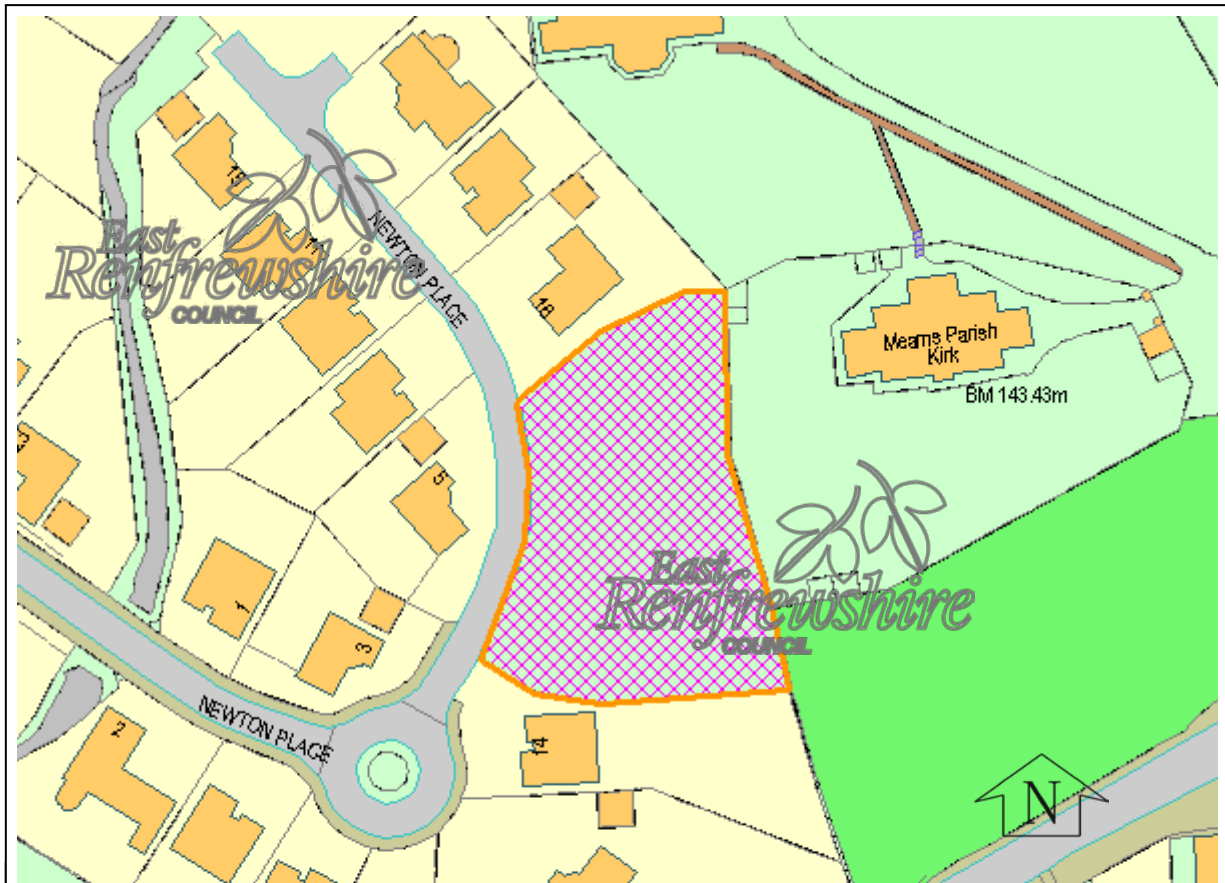
Mr David Hepburn
2 Westerlands Gardens
Newton Mearns
East Renfrewshire
G77 6YJ

Agent:

Jim Kerr
146 West Regent Street
Glasgow
G2 2RQ

Proposal: Erection of two detached dwellinghouses with formation of improved open space

Location: Between 14 and 16 Newton Place
Newton Mearns
East Renfrewshire
G77 5PG



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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Affordable Housing and Development Contributions Officer	The proposal does not create new or exacerbate existing deficiencies in local infrastructure, facilities or environment to an extent that would require mitigation through the provision of a development contribution.
East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions.
West Of Scotland Archaeology Service	Recommends archaeological investigation condition.

PUBLICITY:

17.07.2015	Glasgow and Southside Extra	Expiry date 07.08.2015
05.06.2015	Glasgow and Southside Extra	Expiry date 19.06.2015

SITE NOTICES: None.

SITE HISTORY:

1992/0337/TP	Erection of 17 dwellinghouses & formation of access road	Approved subject to conditions	19.05.1993
1994/0063/TP	Erection of 18 houses & garages with access via Newton Grove	Approved subject to conditions	21.06.1994
1995/0094/TP	Erection of dwellinghouse	Refused	25.04.1995
		Subsequent appeal dismissed (P/PPA/SK/184)	10.10.1995

REPRESENTATIONS:

A total of 14 representations have been received:

Representations can be summarised as follows:

Contrary to Local Plan
Loss of greenspace/open space/recreation space
Impact on listed church and views to it
Disruption during construction
Devalue existing properties
Previous refusals
Loss of habitat
Disposal of land by Factor

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Planning Statement In the form of a letter that assesses the application against Local Plan

policies and concludes the policies do not preclude development on protected urban greenspace. Also indicates that the area of open space is too large and the remaining open space is in excess of what is required for Newton Place. Reference is also made to inconsistencies in the Council's approach to open space by referring to the Neilston Infill Strategy.

ASSESSMENT:

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

The application site is an area of landscaped open ground located on the east side of Newton Place between 14 and 16 Newton Place and opposite 5 Newton Place. To the east of the application site is the B Listed Mearns Parish Church and its grounds. The application site extends to approximately 2350 sqm. There is a general rise in ground levels across the site from west to east. The application site contains a variety of trees, shrubs as well as grass areas.

Proposed development

Permission is sought for the erection of two detached dwellings which are to be located to the north of 14 Newton Place. Two plots are to be created that are 873sqm and 632sqm respectively and the houses are to be located generally towards the centre of each plot and front onto Newton Place. As a result of the curve in the road the proposed houses will sit in a staggered arrangement.

Both of the houses are to be of the same design with pitched roofs including a forward projection on the front elevation as well as incorporating an integral garage. Each house has a footprint of approximately 146sqm and includes its own driveway leading to the garage. Each house is to be approximately 9.5m high, approximately 13m wide and approximately 12.4m at its deepest point. The external materials have not been specified on the application although from the submitted drawings it is assumed that the main external materials are to be render with feature stone work and tiles on the roof.

The remaining area between the north most house proposed and 16 Newton Place has been indicated as "improved open space" which is to have an equipped play area installed with a path leading to it with feature planting to be carried out. This area is indicated as being 846sqm.

Planning history

It is important to consider the purpose and function of this area of open space. The open space functions as amenity space for the residential development that it is located in. The requirement to provide open space/amenity space/play space within residential developments has been a long standing policy requirement. It should be noted that the amount of open space/play space that has been referred to in previous local plans (such as Appendix 1 of the East Renfrewshire Local Plan 2011) are minimum requirements.

This area of open space also has the dual function of forming part of the setting of the neighbouring listed church. This was an important component of the development of this housing development and through discussions at that time the developers re-sited the housing away from the most vulnerable boundary with the listed church and as a consequence provided views across to the listed church.

A subsequent planning application for a house on this area of open space was refused in 1995 as the proposed dwellinghouse would be prejudicial to the character and setting of the listed Mearnskirk Church. This decision was appealed and the appeal was dismissed. The appointed Reporter stated the proposed development would substantially reduce the amount of the open space which was an integral part of the approved layout. The Reporter concluded the proposed development would be to the detriment of the character and setting of the listed building.

It should also be noted that pre-application advice was given in 2014 for three houses and amenity open space at this site. This advice indicated that the proposal could not be supported against the relevant development plan policies.

Local Development Plan

The site is identified in the Local Development Plan (LDP) as important urban greenspace and covered by Policy D5. This Policy also extends to the open space to the north and south of the Mearns Parish Kirk.

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 however these criteria do not apply in this instance.

The Supplementary Planning Guidance: Green Network and Environmental Management (SPG) that accompanies the LDP states that urban and local greenspace are key components of the LDP. They provide a wide range of access and recreational opportunities within the urban area which contribute to a healthier population and provide an attractive setting for the built environment.

Whilst public access will occur to the remainder of the open space the proposed development will result in a significant loss of the open space at this location. There will be a resultant visual impact as a result of the development however it is considered that this impact will be localised to Newton Place and the grounds of the adjacent listed church. 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. The provision of play equipment on the remainder of the open space could be considered a community benefit however this needs to be seen in the context of the loss of approximately two thirds of the existing open space and the function that the open space already serves. Other than the "improved open space" it is not clear what the resultant community benefit of the two houses will be.

Policy D1(2) indicates that all development 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. The proposed houses are similar in appearance to other houses at this location and in these terms are considered compatible with their surroundings. The proposed houses would therefore be considered to accord with this part of Policy D1. However compliance with this part of Policy D1 does result in the development being acceptable as there are other policies against which the application has to be determined.

Policy D1(1) indicates that development should not result in a significant loss of character or amenity to the surrounding area. The application site is a feature of Newton Place and serves different purposes as indicated earlier in this assessment. By constructing houses over approximately two thirds of the open space will change the character and amenity of the surrounding area.

Policy D1(4) indicates inter alia that development should not involve a significant loss of greenspace. The designation of this open space as urban greenspace under Policy D5 reflects the importance of the site. The proposed development will result in the loss of a significant proportion of this open space and is therefore considered to conflict with Policy D1(4).

Policy D11 indicates the Council will safeguard listed buildings and their settings. The accompanying Supplementary Planning Guidance: Management and Protection of the Built Heritage states there is a presumption against works that adversely affect the special interest of a listed building or its setting and new development should be designed to retain and enhance the special interest, character and setting of a listed building. It should be noted that the setting is

more than the immediate surroundings of a site or building, and may be related to the function or use of a place, or how it was intended to fit into the landscape or townscape, the view from it or how it is seen from around, or areas that are important to the protection of the place, site or building.

As the Mearns Parish Church is a category B listed building it is considered to be a locally important building. The church sits above the application site on a promontory to the east of the site retained by a stone wall. The graveyard is more or less flush with the top of the wall. From various angles within Newton Place the open space affords uninterrupted vistas eastwards to the church and graveyard. From within the churchyard the views out to the west are compromised by the existing houses in Newton Place. The open space is considered to create a sensitive interface between the church and Newton Place and the setting of the listed building. The erection of the two houses on this open space would undoubtedly change this relationship and be a prominent intrusion into this area of open space. It is not considered that this development would preserve or enhance the setting of the listed church.

The application site is located within a wider Tree Preservation Order area which is covered by Policy D8. This Policy indicates there will be a strong presumption against development where it would compromise the integrity of TPOs. The development would result in the loss of some of the trees at the site particularly those located towards the centre of the site. It is not considered that the loss of these trees is significant in terms of the overall TPO. Should planning permission be granted a condition can be attached to require the submission of landscaping and tree planting details for further approval in writing.

Supporting Information

The supporting information from the applicant's agent accepts that the relevant policies presume against the loss of greenspaces however considers that this presumption is not absolute and can be outweighed where the leisure, recreational use, amenity or wildlife value of the open space is not significantly prejudiced. The applicant's agent then refers to the size of the existing open space and what will remain as a result of the development and considers that the existing open space is larger than is required for the Newton Place development. In addition the open space that is to remain is larger than is required for a residential development of 20 houses, comprising the existing 18 houses and the 2 houses proposed.

The applicant's agent considers that this is a material consideration that outweighs the policy presumption against the loss of the open space. It should be noted that Appendix 1 of the adopted Supplementary Planning Guidance: Green Network and Environmental Management indicates that the amenity space requirements are minimum requirements. However the mathematical calculation provided by the applicant's agent on the amount of open space required for a residential development fails to address the purpose/function of the open space.

The applicant's agent also refers to inconsistencies in the Council's approach to open space with reference made to the Neilston Infill Strategy. The Neilston Infill Strategy serves a particular purpose which is linked to a specific policy in the Local Development Plan and is not relevant to the determination of this application.

It should be noted that the applicant's agent has also not made any reference to how this area of open space relates to the setting of the listed church or how the proposed development will affect its setting.

It is considered that the justification for the development provided by the applicant's agent is weak.

Representations

In terms of the representations that have been received and which have not been already addressed in the assessment of the application above the following comments are made.

Disruption during construction: Should planning permission be approved a condition can be attached that restricts construction times in order to lessen disturbance during construction works.

Devalue existing properties: This is not a material planning consideration in determining this application.

Previous refusals: Planning permission was refused in 1995 for the erection of a dwellinghouse on this open space adjacent to 14 Newton Place as indicated earlier in this assessment. It is considered that this decision is a material consideration in determining this application as the church is still a listed building and the general presumption to enhance or preserve the setting of listed buildings has not changed significantly during the intervening period.

Reference to disposal of land by factor: This is not a material planning consideration in determining this application.

Overall Conclusion

The proposed development is a departure from the relevant Local Development Plan policies and it is not considered that there is sufficient justification provided by the applicant's agent to depart from the policies and allow this speculative development.

The development will result in an unacceptable loss of the majority of this open space and will have an adverse impact on the setting of the Mearns Parish Church. As a consequence the application is recommended to be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None

REASONS FOR REFUSAL:

1. The development is contrary to Policy D5 of the adopted East Renfrewshire Council Local Development Plan as the erection of two dwellinghouses will result in a significant loss of this greenspace and does not result in a community use, the benefit of which outweighs the loss of the greenspace.
2. The development is contrary to Policy D11 of the adopted East Renfrewshire Council Local Development Plan as the erection of two dwellinghouses will have an adverse visual impact on the setting of the adjacent Mearns Parish Church listed building.
3. The development is contrary to Policy D1(1) and D1(4) of the adopted East Renfrewshire Council Local Development Plan as the erection of two dwellinghouses will result in a significant loss of this greenspace and will result in a loss of character and amenity to the surrounding area.

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 Ms Alison Mitchell on 0141 577 3117.

Ref. No.: 2015/0253/TP
(ALMI)

DATE: 5th August 2015

DIRECTOR OF ENVIRONMENT

2015/0253/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

Adopted East Renfrewshire Local Development Plan

Policy D8

Natural Features

There will be a strong presumption against development where it would compromise the overall integrity of Local Biodiversity Sites, Tree Preservation Orders and ancient and long established woodland sites.

Development that affects a site of special scientific interest will only be permitted where:

The objectives of designation and the overall integrity of the area will not be compromised; or

Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

The location of Sites of Special Scientific Interest, Local Biodiversity Sites and Tree Preservation Orders are identified on the Proposals Map and referred to under Schedule 1.

Planning permission will not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

Further detailed information and guidance is set out in the Green Network and Environmental Management Supplementary Guidance, including criteria against which development proposals within or in close proximity to the natural features outlined above will be assessed.

Through Dams to Darnley Country Park the Council will promote the designation of a Local Nature Reserve at Waulkmill Glen as shown on the Proposals Map. This will be undertaken in partnership with Glasgow City Council and in conjunction with Scottish Natural Heritage.

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 D5

Protection of Urban Greenspace

Urban greenspace, including outdoor sports facilities, 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.

Additionally, for outdoor sports facilities, the following will have to be demonstrated:

The proposal is ancillary to the principal use of the site as an outdoor sports facility;

The proposal involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;

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; or

The relevant strategy, prepared in consultation with Sportscotland, shows that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

Further detailed information and guidance is set out in the Green Network and Environmental Management 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, 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 and Environmental Management 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. Where 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, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railway 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.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Listed Buildings indicates that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Special regard should be given to development to, or affecting, a listed building. Special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.