

**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**

Application continued from the Planning Applications Committee dated 20th April 2022 to be considered by the
Planning Applications Committee dated 15th June 2022 following a site visit.

Reference No: 2019/0788/TP

Ward: 2

Applicant:

Dawn Homes
220 West George Street
Glasgow
Scotland
G2 2PG

Agent:

Jewitt & Wilkie Architects Limited
38 New City Road
Glasgow
Scotland
G4 9JT

Site: Land At Kirkton Road Neilston East Renfrewshire

Description: Erection of residential development (comprising 80 dwellinghouses and 10 flats) with associated access roads, landscaping and SUDS (major) (amended drawings).

Please click [here](#) for further information on this application

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REPORT OF HANDLING

Reference: 2019/0788/TP

Date Registered: 8th January 2020

Application Type: Full Planning Permission

This application is a Major Development

Ward: 2 -Newton Mearns North And Neilston

Co-ordinates: 248195/:656943

Applicant/Agent:

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Dawn Homes Limited
220 West George Street
Glasgow
Scotland
G2 2PG

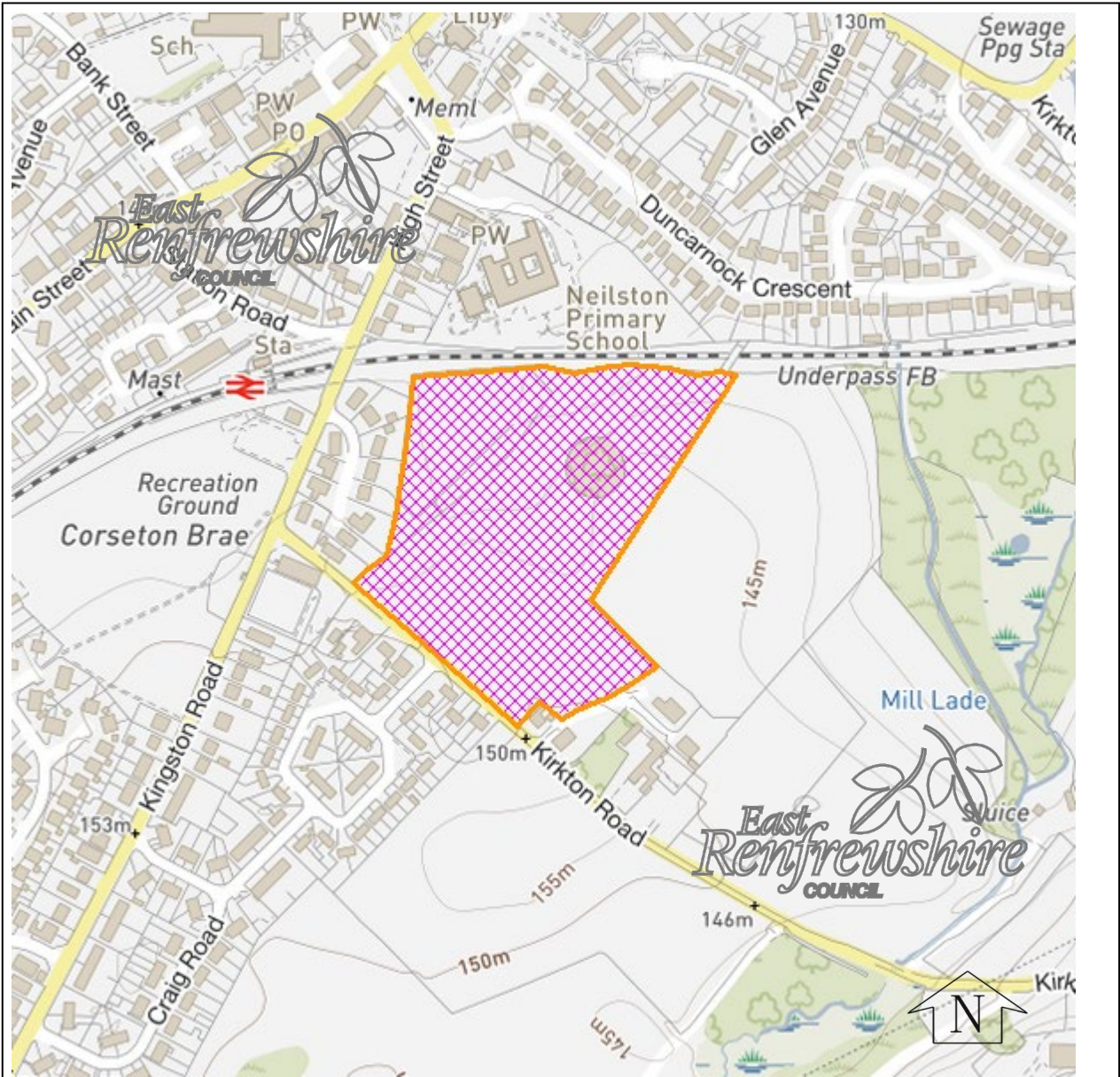
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Location: Land At Kirkton Road
Neilston
East Renfrewshire

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service	No objection subject to conditions
East Renfrewshire Council Environmental Health Service	Comments about possible noise impact on proposed houses from railway line.
West Of Scotland Archaeology Service	No objection subject to condition requiring implementation of a programme of archaeological works.
Strategic Planning ; Principal Strategy Officer (Affordable Housing and Development Contributions)	No objection subject to conditions and the conclusion of a Legal Agreement.
Scottish Environment Protection Agency (SEPA)	No objections
Neilston Community Council	No comments received at time of the report
Scottish Water	No objections
Glasgow Airport	No objections
Glasgow Prestwick Airport	No objections
NERL Safeguarding	No objections
Coal Authority (Planning And Local Authority Liaison)	No objections

PUBLICITY:

22.10.2021	Barrhead News	Expiry date 05.11.2021
24.01.2020	Barrhead News	Expiry date 07.02.2020

SITE NOTICES: None.**SITE HISTORY:**

2016/0805/TP	Widening of Kirkton Road and erection of wall.	Approved subject to conditions	15.03.2017
2018/0220/PAN	Residential Development (major)		01.10.2018
2018/0614/TP	Erection of residential development (comprising 140 houses and 9 flats)	Withdrawn	27.02.2019

with associated access
roads, SUDS, and open
space (Major)

REPRESENTATIONS: A total of 1041 representations have been received. The issues raised/comments made, where material to the planning application, have been taken into account and assessed below in the main body of the report.

The issues raised can be summarised as follows:

Impact on road safety
Road congestion
Impact on adjacent roads
Sub-standard road
Lack of parking at railway station
Traffic noise and pollution
Lack of infrastructure (schools, shops, medical facilities)
Development will discourage walking & cycling
Doesn't encourage sustainable travel
Impact on health and wellbeing
Loss of Greenbelt
Impact on environment and biodiversity
Impact on landscape
Loss of natural habitat
Loss of open/greenspace
Impact on residential amenity
Contrary to Local Development Plan (2015)
Contrary to Scottish Planning Policy (2020)
Development not needed to meet housing targets
Height of 3 storey flats
Loss of sunlight
Overlooking/loss of privacy
Loss of views
Noise impact
Light pollution
Increase air pollution
Impact on existing water supplies
Impact on existing sewerage/septic tank
Contrary to zero carbon emissions aims
Lack of EV charging points and solar panels
Disturbance during construction
Construction vehicles

Neutral comments were received from the Neilston Development Trust raising the following:
Existing footbridge across railway should be ungraded to provide link to primary school
Should be provision for frail or elderly independent or supported living

3 letters of support have been received making the following points:

Existing infrastructure and local facilities
Public transport
Encourage investment in local services
Included as a housing site within LDP
Provides local housing
Provides economic and social benefits for community

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE

The relevant policy documents can be found at the following links:

Scottish Planning Policy –

<https://www.gov.scot/publications/scottish-planning-policy/documents/>

The Glasgow and Clyde Valley Strategic Development Plan –

<https://www.clydeplan-sdpa.gov.uk/strategic-development-plan/current-plan/current-strategic-development-plan-july-2017>

Local Development Plan2 –

<https://www.eastrenfrewshire.gov.uk/ldp2>

SUPPORTING REPORTS:

Noise and Vibration Impact Assessment	The assessment looked to establish typical ambient noise and vibration levels across the proposed site in order to assess the suitability of the site for residential development. It found that internal noise levels indicated that windows can be partially opened and the average daytime noise levels can be met. The report identified that maximum noise levels (which can cause waking events) cannot be suitably mitigated at night and an alternative form of ventilation will be required for some plots. The results of the vibration assessment when considered against BS 6472 indicate that the probability of adverse comment due to vibration from the railway line is low.
Transport Assessment	Examines the accessibility of the application site by a range of travel modes and establishes the development impact on the existing road network. It states that the site is in close proximity to well established pedestrian & cycle routes, public transport and local services and facilities. It predicts that the site access junction(s) and the existing junctions within the study area will all operate satisfactorily with both the committed and proposed residential development trips included.
Archaeological Report	The assessment indicates that there is a standing stone which it cannot ascertain is prehistoric or modern. This is due entirely to the degree of disturbance present around the stone including made ground deposits and burrowing animals.
Ecological Report	The Ecology Appraisal comprised of Phase 1 Habitat Surveys (Revised) extended to include badgers and bats. It concludes that there was no evidence of badgers using the site, and that there was negligible potential for bat roosting over the site but some potential for bat foraging. The report also indicates that the site is almost entirely improved grassland with species poor hedgerows and therefore has a very restricted habitat diversity of low value.
Tree Survey Report & Arboricultural Impact Assessment	Assesses the impact the development would have on the trees to be retained, catalogues the tree pruning or removals that are necessary and the measures that would be required to protect the retained trees before, during and after construction. It identifies the trees on the site in accordance with BS5837 and also identifies Root Protection Zones, along with special mitigation required to protect the trees to the east boundary.

Planning Statement	Outlines the documents and evidence submitted in support of the application, along with an assessment against the relevant planning policy documents and other material considerations, and concludes that the proposal accords with the relevant provisions of the approved development plan and Government policy and guidance.
Design and Access Statement	Outlines the principles, analysis and appraisal factors behind the development of the site, stating there is a strong vision and desire to create a viable new residential development. It indicates that the proposed layout embraces the design principles of Designing Places and Designing Streets, in order to deliver a strong and robust proposal, which will provide vibrant and sustainable homes in a pleasant and safe environment for future Neilston residents.
Drainage Strategy	The report examines factors affecting the proposed development regarding flood risk and drainage, recognising the requirements of East Renfrewshire Council, and Scottish Environment Protection Agency (SEPA), Scottish Water (SW) and current best practice. It concludes that surface water can be discharged to the Mill Lade at a 2 year greenfield equivalent and that a Foul Water connection to the existing combined sewer to the north of the site can be made. It also states regular maintenance combined with a significant reduction in catchment area will remove any risk of flooding at the 900mm culvert and also reduce the flows passing below the railway boundary towards Duncarnock Crescent.
Flood Risk Assessment	Outlines the legislative and policy background, and sets out the factors taken into account in the assessment, and concludes that the site is not predicted to be at risk of flooding from the Kirkton Burn or Mill Lade. It identifies that there is a risk of surface water from Kirkton Road entering the site. Such flows should either be collected and taken into the site drainage system or safely routed through the site without affecting any properties.

ASSESSMENT:

This is a Major development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and as a consequence has to be presented to the Planning Applications Committee for determination.

Site Description

The site is an area of agricultural land, measuring approximately 5.2 hectares in size to the north Kirkton Road, Neilston. To the south and west are residential areas, with the boundary to the north defined by the Glasgow to Neilston railway line. To the south eastern corner of the site is a small group of dwellings, adjacent to Neilston House with open agricultural fields to the eastern boundary. Further east is open countryside and the Kirkton Burn.

A mixed group of semi-mature and mature trees form a tree-belt, which dissects the site running at the back of the houses that front onto Luckiesfauld from Kirkton Road northeast, with a group of semi-mature trees in the northwest corner of the site. There is also a standalone roundel of trees to the northern part of the site, as well as other mature trees interspersed around the site. Notably there is a line of mature trees which form the eastern boundary with Neilston House. The boundary on Kirkton Road is defined by a deciduous mature hedgerow, mainly of hawthorn.

The site undulates with the general topography sloping down from Kirkton Road before rising towards the roundel of trees and then steeply sloping down towards the railway line. The site in general also slopes down towards the residential areas to the west of the site.

The site is designated for housing in the adopted Local Development Plan2.

Kirkton Road is part of the adopted core path connecting Crossmill to Uplawmoor & Dodhill, including Dams to Darnley Country Park.

Proposed development

Planning permission is sought for the erection of residential development comprising 80 dwellinghouses and 10 flats with associated access roads, landscaping and Sustainable Urban Drainage System (SUDs).

The proposed houses are all two storey with a mix of detached, semi-detached and terraced. The flatted development is two/three storey in height and fronts Kirkton Road. The flats and a mix of adjacent semi-detached and terraced dwellings, 24 residential units in total, form the affordable housing contribution and are located to the south eastern corner of the site.

The proposal consists of two separate accesses formed off Kirkton Road, creating an internal loop road with a pan handle layout to the north western part of the site. The proposed SUDs basin is located to the north of the site, adjacent to the railway line and will discharge in to the Kirkton Burn.

The proposed layout shows the retention of the woodland area to the rear of the houses on Luckiesfauld. This woodland area forms part of the pedestrian link which connects to the roundel trees and the general open amenity space and SUDs on the northern part of the site. Drawings also indicate a formal play area, an area of informal active open space and a proposed walkway which dissects the site from Kirkton Road in a north easterly direction. An area of open space containing a standing stone is also indicated near the entrance of the site.

The proposal involves extensive earthworks including raising of the land to form the development platform. This will involve raising the land approximately 4-5metres before sloping down to the western boundary with the properties on Luckiesfauld. To the northern boundary, adjacent to the railway line, the land will be raised by approximately 1-2metres, and the area adjacent to the roundel area by approximately 2-4metres. Adjacent to Stonefield Cottage and Neilston House, plans indicate that the land will be raised by approximately 0.5metres.

The current layout has been the result of various revisions following discussions with the Planning Service. Neighbours have been notified on the latest revision. The issues raised by neighbours for the original scheme and the revised proposal are all considered as part of the assessment below.

Assessment

The application has to be determined in accordance with the Development Plan and any material planning considerations. The Development Plan consists of the Strategic Development Plan (approved July 2017) and the East Renfrewshire Local Development Plan2 (adopted March 2022).

Scottish Planning Policy

Scottish Planning Policy (SPP) introduces a presumption in favour of development that contributes to sustainable development. It also indicates that the planning system should support economically, environmentally and socially sustainable places. SPP on Delivery of New Homes indicates proposals should provide for all tenures, provide 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.

In relation to affordable housing SPP indicates that local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. 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. In terms of Placemaking the SPP indicates that planning's purpose is to create better places through a design-led approach, with planning supporting development that is designed to a high-quality and which demonstrates the six qualities of successful place: distinctive; safe and pleasant; welcoming; adaptive; resource efficient; and easy to move around. This policy position is reinforced by the Scottish Government in its planning policy document Designing Streets.

The developer has indicated that they are willing to comply with the Council's affordable housing policy. In general terms the site has been identified for residential purposes as part of the Council's housing land requirements, and is regarded as a sustainable location given its proximity to local facilities and access to public transport. Consequently it is not considered to raise any significant issues in terms of the general aims and objectives of Scottish Planning Policy. Assessment against the Placemaking agenda is outlined elsewhere in this report.

The Glasgow and Clyde Valley Strategic Development Plan (approved July 2017)

The Strategic Development Plan (SDP) seeks the provision of high quality and affordable housing in the right location in order to promote the creation of a successful, sustainable and growing city region. The proposed development is located on the edge of an existing settlement and has been identified for residential purposes as part of the adopted Local Development Plan2, consequently in general terms it is considered to support the Vision and Spatial Development Strategy of the SDP of a compact city region.

The proposed development is not considered to be a strategic scale development under Schedule 14 of the SDP as the site has been allocated within Local Development Plan2 for housing. Therefore it is required to be assessed against the relevant policies of the adopted East Renfrewshire Local Development Plan2 (LDP2).

East Renfrewshire Local Development Plan2 (Adopted March 2022)

The relevant policies of the adopted East Renfrewshire Local Development Plan2 are considered to be Strategic Policies 1 & 2, D1, D2, D4, D6, D7, D8, D9, D10, D11, SG1, SG2, SG4, E1, E3, E5, E7, E8 and E9.

It should be noted that in line with Scottish Government national policies, Local Development Plan2, which has been recently adopted, places significant emphasis on sustainability, place making and Designing Streets.

Principal of Development

Strategic Policy 1 sets out a range of environmental, community and infrastructure criteria that are required to be taken into account in assessing planning applications. This policy seeks to create sustainable, well designed, connected, healthy, safe and mixed communities and places. It also states that proposals should not result in a significant adverse loss of character or amenity to the surrounding area, should not have an adverse impact on existing community facilities including education or significant adverse impact on the built and natural environment. It also seeks to ensure that the transport impact of the development is taken into account and that any proposal accords with the Council's Local Housing Strategy. In order to promote sustainable development, emphasis is placed on directing development to the urban area.

The site was included into the previous Local Development Plan (2015) as a housing site. The adopted Local Development Plan2 maintains the site for housing and as a result the site forms part of the urban area. Consequently it is no longer considered to be Greenbelt and the principle of the residential use of the land is established. Furthermore, it is considered that the site is in a sustainable location and that the increase in population will support the vitality and viability of the existing local facilities. Consequently, the proposal raises no significant strategic issue for Strategic Policy 1 of Local Development Plan2.

A more detailed assessment of the proposal including impact on the built and natural environment, traffic and transport, affordable housing and development contributions and existing infrastructure is made elsewhere in this report.

Policy SG1 seeks to meet housing needs across all tenures up to 2031 through the provision of a range and choice of housing sites and to support the delivery of sustainable mixed communities, as required by Scottish Planning Policy. It states that sites will be subject to phased release to ensure that a minimum of a 5 year continuous effective land supply is maintained at all times and to manage impact upon infrastructure and services.

Under the previous Local Development Plan (2015), the site was identified as a longer-term development opportunity post 2025. However, the housing land supply and programming of all sites, including the site subject to this planning application, was refreshed to inform the preparation of the now adopted Local Development Plan2 which sets out programming up to 2031 and beyond. Consequently, it is considered that the proposal forms part of the Council's housing land supply and presents no significant issues in terms of Policy SG1.

Affordable Housing and Development Contributions

Strategic Policy 2 states that proposals must be accompanied by the appropriate infrastructure and services required to support new or expanded communities. New developments that individually or cumulatively generate a requirement for new or enhanced infrastructure or services will be expected to deliver, or contribute towards the provision of, supporting services and facilities.

Policy SG2 indicates that all new housing proposals should include a mix of house types, sizes and tenures to accord with the Council's Local Housing Strategy and the Strategic Housing Need and Demand Assessment. Policy SG4 requires a minimum 25% affordable housing contribution where planning permission is sought for residential developments of 4 or more dwellings.

The Council's Affordable Housing and Development Contributions Officer has stated that should the Planning Applications Committee be of a mind to grant the proposal, then development contributions towards education (Early Years, Primary, Secondary and ASN); Community Facilities (Community Halls & Libraries and Sports); and Parks and Open Space would be required. Requirements have also been identified in relation to Access and the Green Network and Active Open Space, however the preference in those instances is for mitigation to be provided on site by the developer and for this to be secured via condition (see further below).

They have also stated that the proposal of 90 units would require a 22.5 unit affordable housing contribution. The proposal indicates that there will be the provision of 24 affordable homes for social rent. Although concentrated in the one area, the affordable homes are located in an accessible part of the site. Other than the flats (10 units), the majority of the affordable housing units proposed are of a similar form to the remainder of the proposed development, with a mix of semi-detached and terraced units. The layout, style and architectural quality is similar to the other housing proposed, and it is considered that the finishing materials can be controlled by condition to further ensure integration.

A Registered Social Landlord (RSL) has confirmed that they are working with the applicant with a view to purchasing the affordable homes on the site and that the proposed social rented tenure and the

housing mix is acceptable. It has also been confirmed by the Affordable Housing and Development Contributions Officer that 100% social rent on the site is acceptable and that this project can be included within the Council's Strategic Housing Investment Plan.

Should the Planning Applications Committee be minded to grant this proposal, a section 75 legal agreement would be required to secure the Development Contributions and the delivery of affordable housing on site and its retention in perpetuity. The applicant has agreed to enter into a section 75 legal agreement. Consequently, it is considered that the proposal, subject to the satisfactory conclusion of a legal agreement as outlined above, complies with Strategic Policy 2 and Policies SG2 and SG4 of the adopted Local Development Plan2.

General Amenity and Layout

In terms of assessing the proposal in detail, Policies D1, D2, D6, D7, D8, D9, D10, D11 and D18 are the most relevant and set out a number of criteria for assessing development to ensure that it is well designed and compatible with the character and amenity of the locality and it is of a size, scale and density in keeping with the locality and respects local building form, design, and materials. The Local Development Plan2 also states that there is a presumption against landraising, and that proposals should not adversely impact on the natural environment, landscape character, involve the loss of trees or other important landscape, greenspace or biodiversity features. Furthermore, and in particular policy D8, promotes active travel and directs development to sustainable locations where the need to travel is reduced and active travel and public transport infrastructure already exists.

It should also be noted that Policy D1 states that proposals should deliver the six qualities of a successful place, as outlined in Scottish Planning Policy (SPP) and the Scottish Government's Policy Statement Designing Streets. The six qualities are:

Distinctive - Design that makes the best use of site attributes and respects and enhances the character of surrounding buildings, streets and green networks to create places that have a sense of identity.

Safe and pleasant – Attractive, well managed and appropriately scaled places designed to encourage activity and overlooked by surrounding buildings and active frontages. With clear definition of public and private spaces, where parking does not dominate and there is natural traffic calming.

Easy to move around – Street design that considers all users and is well connected into existing movement networks, putting people and place before vehicular movement.

Welcoming – Places that encourage social interaction, where it is easy for people to find their way around and access local services in a walkable neighbourhood.

Adaptable – Places that can support a mix of compatible activities with built in flexibility so that they can adapt to changes in the future.

Resource efficient – Development designed to make best use of resources, achieve high environmental performance and minimise impacts on the built or natural environment.

The adjacent residential areas consist of a mix of house types, sizes, and heights, set within curtilages of different sizes. As a result, the area is not homogeneous and reflects the periods when the houses were built. Therefore the proposal, which consists of a variety of house types and sizes, all set within different garden sizes will not be out of keeping to the extent that the development would have significant adverse impact on the character of the general urban area.

The layout has been designed to face Kirkton Road which helps the development relate to Neilston. In addition, it will provide an active frontage and natural surveillance along Kirkton Road as well as act as a visual marker for anyone arriving into the area. In particular the position of the flatted dwellings, due

to their massing and height, will help inform drivers arriving from the (south east) adjacent countryside that they are entering into a built up area. The internal road hierarchy has been designed with short and irregular interconnecting street lengths to produce a self-enforcing low speed layout. The applicant has also varied the space between buildings and introduced buildings at key locations in order to create a level of legibility within the site. Given the above, it is considered that the proposal will help create a sense of place and provide natural traffic calming measures which should help regulate driver's behaviour.

The layout in general has been developed to ensure there are as many opportunities as possible for passive overlooking (from living rooms) of the roads, car parking areas and footpaths to help promote a safe and secure environment. An exception to this is the central car parking area, servicing plots 69-76 which has only one property directly overlooking it, however the access routes into the area are overlooked and limited in numbers. The other exception is the car parking to the rear of the flats (south east corner of the site), which has an unfettered access with very limited opportunities for passive overlooking, and therefore not conducive to promoting a safe and secure environment. However, the main areas where there are likely to be pedestrians, i.e. footpaths and play areas are overlooked, and as stated above, the road layout has been designed to reduce car speeds. Therefore, it is considered that the proposal will help promote a safe and secure environment.

The proposal maintains adequate space between proposed dwellings to ensure that there is no significant adverse impact on the amenity of future residents by unreasonable loss of privacy or sunlight. It is noted that the proposal includes several courtyard car parking areas which could create unpleasant areas for the future residents. However these will help minimise car parking visually dominating the front of dwellings, and therefore on balance, it is considered they will help promote a more pleasant and safer environment for all street users in line with the aims of Placemaking.

The six qualities of successful place require proposals to be adaptable and resource efficient, and accordingly Policies D11 and E1 of Local Development Plan2 are of particular relevance.

Policy D11 requires major proposals to incorporate electric vehicle (EV) charging points or passive provision for charging points within every dwelling. The proposed drawings do not indicate any such provision, however the applicant's Planning Statement indicates that Photovoltaic (PV) and EV charging points will be provided. It is considered this matter can be dealt with by condition should the application be approved.

Policy E1 requires proposals to contribute to the aims of sustainable design and the reduction of greenhouse gas emissions. Specifically, it seeks that proposals make efficient and sustainable use of existing land, that sustainable and energy efficient design and construction methods are incorporated and demonstrated as part of the planning application, that the development uses locally sourced and energy efficient materials, and that they prioritise active travel and adhere to a clear sustainable movement hierarchy.

As discussed elsewhere in this report, the site is an allocated housing site that is in a sustainable location with access to local facilities and public transport, and therefore meets the policy aims of sustainable use of land and active travel. In regard to the other matters concerning sustainable and energy efficient design and locally sourced materials, the applicant has stated that the new homes will meet the requirements of Building Standards but no detailed information has been submitted to demonstrate how the development as a whole, construction and use thereafter meets the Policy requirements, nor has any information been submitted regarding locally sourced materials. However, should the application be approved, it is considered a condition can be attached requiring the applicant to submit a scheme demonstrating how they intend to comply with the Policy.

Open/Amenity Space

Local Development Plan2 states that a network and hierarchy of open space should be provided to create a structured and legible framework for development. It also requires that there is usable and accessible open space within 250metres of each proposed property. The proposal incorporates various public amenity spaces and path networks. These include a planted/landscaped area to the west of the entrance of the site (nearest Kingston Road), with a path leading to the formal play area before leading through to the roundel of trees and SUDs pond to the rear of the site. An area of open space is also proposed near the entrance of the site (nearest Kingston Road) which includes the standing stone, this will help give some distinction and legibility to the site. Both the formal play area and the open space with the standing stone are accessible and overlooked thereby help ensuring that they are safe and secure.

To meet the requirements for the provision of active open space, an area of informal active play is proposed to the north east boundary of the site, and whilst its location should not give rise to noise complaints from neighbours, it presents limited opportunities for passive overlooking as the nearest house is some 60 metres distance and does not have main windows overlooking the area. While this is not an ideal design arrangement, it is recognised that it will still provide recreational opportunities. No details have been submitted regarding the informal active play, however as per Local Development Plan2 Policy D6, it should be designed to allow access (including the adjacent footpath) for all and be designed for multi-functional natural play use. Should planning permission be granted it is considered that this can be dealt by condition.

In terms of general amenity open space, Local Development Plan2 requires 10 square metres of open space per habitable room. This equates to some 3600 square metres for this proposal. Overall, the site provides circa 18,650 square metres, arguably though only approximately 1460 square metres of usable open space is incorporated into the built out area. In particular it is noted that that there is a lack of usable amenity space to the eastern part of the site where the proposal has the highest density of residential units and the affordable housing area.

The proposed dwellings are set within garden grounds of various sizes, with some of the terrace houses providing garden areas approximately the same size as the footprint of the house. Other proposed houses have garden areas in excess of 230% of the footprint. Local Development Plan2 Policy D6 does not prescribe required garden sizes, however does seek to ensure that the garden grounds, along with all open space/landscaping, are part of an integrated approach.

Nevertheless, the proposed path network provides links to the open spaces and wider green network which will benefit the residents of Neilston as well as future residents of the site. In addition, it is noted that all the proposed houses are within 250metres of at least one open space area, as required by Local Development Plan2 and therefore on balance, the proposal is acceptable in this regard.

As mentioned above, the proposal retains the standing stone in situ. An archaeological survey was submitted and states that it was not possible to conclusively demonstrate whether the stone was prehistoric or modern. The West of Scotland Archaeology Service have stated the developer should keep the stone in situ and further archaeological investigations are required. This matter can be dealt with by condition should the application be approved.

Landraising

The proposal includes the creation of a development platform through substantial earthworks including landraising. The Local Development Plan2 requires that regard must be had to the scale and visual impact of the resultant changes to the local landscape. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas are to be resisted. The Planning Service accept that landraising is necessary in this instance given the topography of the site, however, have made clear during discussions with the applicant that any such landraising should provide a natural slope to meet the surrounding land and properties, and not create large scale

engineered embankments or adversely impact on other properties, or important natural landscape features.

Information submitted by the applicant indicates that the proposal will result in a steep embankment of approximately 70 degrees and raising the ground level by approximately 3.3metre (max) to the northern part of the developed site, facing the roundel of trees. As a result, the gardens of plots 31 and 37 will sit in an elevated position above the adjacent ground. It is also proposed to raise the ground by approximately 5metres (max) near the western boundary adjacent to the entrance into the site, before it slopes down towards the existing levels of the rear gardens of the houses on Luckiesfauld. The ground levels adjacent to Neilston House on the eastern boundary are proposed to be raised by approximately 0.5metres. This area is within the canopy of the mature trees which forms the boundary between the site and Neilston House. The ground levels are also proposed to be lowered to the northern part of the western boundary by approximately 1metre. The alterations to the ground levels will result in the hedgerow and trees being lost to the western and northern boundaries and part of the eastern boundary, adjacent to plots 29 and 30. The loss of hedgerows and trees are discussed elsewhere in this report.

The landscape plans indicate that the proposed gradient on the northern part of the site, adjacent to the roundel, will be planted with native shrubs and trees. However the steepness of the slope will appear unnatural in the area, visually intrusive and create a physical and visual separation between the proposed houses and the surrounding land. The proposed houses, sitting in an elevated position, will be dominant and visually intrusive when seen from the area adjacent to the roundel. The gradient (70 degrees) also raises questions regarding the suitability of the slope for growing trees and ongoing maintenance.

The proposed slope to the western part of the site will be a more natural gradient, however it will have a road and footpath approximately 3metres higher and within 15metres of adjacent neighbour's gardens. The visual impact of the slope itself is unlikely to result in a significant visual impact, however, given the height and location of the proposed road and footpath it raises concerns of loss of privacy to the houses fronting Luckiesfauld. This is discussed elsewhere in the report.

The issues regarding visual impact of the landraising adjacent to the roundel and the potential loss of privacy to the west can be mitigated by extensive planting which can be controlled by conditions should the planning application be approved. This, however is recognised as not ideal due to the timescales for the planting to become established. The change in ground levels adjacent to Neilston House in themselves are not substantial, however, the proposal raises concerns about the possible impact on the trees which is discussed elsewhere in this report.

Clearly, the proposed levels/landraising over the whole site will have a visual impact in the area. With the exceptions as outlined above, this will be no greater than would be expected from a development of this size located on undulating land. It is therefore considered that given time, the majority of any impact will be negated and minimised by the proposed landscaping and tree planting.

Impact on Trees and Hedgerows

The site is not within a Tree Preservation Order area, or a Local Biodiversity area, nor is it identified as part of NatureScot (formerly SNH) Ancient Woodland Inventory. Therefore the trees are not specifically protected by the Local Development Plan2. The Local Development Plan2 does however seek to ensure that development does not adversely impact on the landscape character and that there is no significant loss of trees or other important landscape features. It states that development affecting trees, groups of trees or areas of woodland will only be permitted where the tree, group of trees or woodland that makes a significant positive contribution to the setting, amenity and character of the area has been incorporated into the development through design and layout. Where there is loss of trees this needs to be outweighed by social, environmental, community or economic benefits.

Designing Streets and Placemaking guidance indicates that proposals should be designed around trees rather than involve their removal, as they can play a part in creating a distinctive place.

As stated previously, the proposed layout indicates that the roundel of trees is to be retained on site, as is the small group of trees and hedgerow on the north east boundary with the greenbelt. The trees along the boundary with Neilston House are also shown as being retained. The proposal indicates that the trees and hedgerow to the north and west part of the site are being removed, as is the hedgerow fronting Kirkton Road. Some of the hedgerow to the eastern boundary adjacent to plots 29 and 30 are also being removed. The roundel of trees and the trees marking the boundary with Neilston House are significant landscape features and therefore their retention is in keeping with the aims of the Local Development Plan².

The applicant has indicated that in total, the proposal will result in the removal of 22 individual trees plus an additional 45 trees within groups, equating to 67 trees in total. However, they have also stated that the proposal will include the planting of 313 new trees.

The arboricultural report identifies the trees to be removed as predominantly a mix of category B and C. There is no indication that any of the trees proposed to be removed is as a result of their condition or for safety grounds. The removal of the majority of trees appears to be to accommodate the creation of the development platform through landraising and/or lowering land, with the exception of the trees adjacent to proposed formal play area, which was agreed with the Planning Service in order to create a better road layout.

The plans indicate that the trees adjacent to Neilston House are to be retained, however the site levels also indicate that the ground is to be raised within the vicinity of the tree canopies by approximately 0.5metres. The Planning Service raised this concern as change in ground levels can cause significant damage to trees through damage/exposure of their roots or through diverting surface water run off resulting in the trees struggling with the new conditions, which over a period of time could lead to their demise.

The arboricultural report states that it assumes that the design has taken into account the constraints presented by the retained trees. Specifically, it identifies that several trees adjacent to Neilston House are close to proposed buildings, structures, surfaces, excavations or construction activities, and recognises that potential impact cannot be fully mitigated by any protection measures, which could result in the temporary or irreversible decline of the trees, resulting in the loss of the amenity provided by the trees. Notably, the report does indicate that it is likely some trees cannot reasonably be retained safely in the long term. It however also sets out mitigation measures which could safeguard the trees, including protection zones, and where landraising is unavoidable, then the use of a predominantly granular infill material is recommended. Arguably, the longer term impact on trees can be balanced by the proposed tree planting which, when it becomes established, will counter any such loss over the long term.

Consequently, whilst the proposal will result in the loss of semi-mature and mature trees of fair to good quality (Categories B and C), and could result in the loss of even more over the long term due to the proposed earthworks, the use of mitigation measures as identified in the arboricultural report and the proposed extensive native planting should off-set any adverse impact on the visual landscape. It is considered should the planning application be approved, the mitigation measures identified in the report can be dealt with by conditions.

The proposal involves the removal of the hedgerow fronting Kirkton Road and a section along the eastern boundary. The removal along Kirkton Road will have a significant visual impact however is necessary to allow houses to face the street and thereby relate to the general area. It is therefore considered acceptable as the layout will be more in keeping with the Designing Streets and Placemaking agenda. The section of hedgerow along the eastern boundary is as a result of the change in levels and not considered significant in terms visual impact. The proposal will introduce substantial

mixed native hedgerow planting throughout the site which will over time compensate for the loss of any existing hedgerow.

Potential impact on protected species and biodiversity

Policy D7 of Local Development Plan2 requires careful consideration of the impact a development will have on biodiversity, species and habitats, and requires that adverse effects should be avoided with mitigation measures provided.

Scottish Planning Policy states that the presence (or potential presence) of a legally protected species is an important consideration in deciding planning applications. If there is evidence to suggest that protected species are present on site or may be affected by a proposed development, steps must be taken to establish their presence. Any impact must be fully considered prior to the determination of the application.

The applicant undertook an Ecology Appraisal which comprised of Phase 1 Habitat Surveys (dated March 2018, January 2020 and September 2021) extended to include badgers and bats. They concluded that there was no evidence of badgers using the site, and that there was negligible potential for bat roosting over the site but some potential for bat foraging. The reports state that the site is almost entirely improved grassland with species poor hedgerows and therefore has a very restricted habitat diversity of low value. It states that proposed private gardens and public open space will replace the habitats lost, and these features will be more species diverse than the habitats they replace. The public habitats will managed for biodiversity benefit.

Based on the information submitted, the applicant has complied with the protected species legislation and consequently, the Planning Authority is at liberty to determine the application. However, given the importance of protected species and to ensure their protection, it is considered that fresh surveys should be undertaken within a year of the last survey (September 2021) if the development has not started within that time period. It is considered this matter can be dealt with by condition should the application be approved.

Given the current nature of the site it is acknowledged that it will be utilised by various wildlife, furthermore it will contain plants and trees that will contribute to the general biodiversity of the area. However, as noted by the Ecology Appraisals, due to it mainly being improved grasslands and hawthorn hedgerow, the biodiversity will be limited to the flora and fauna that this habitat supports. It is unlikely to support the range of biodiversity that could be provided at the location if planted with a greater variety of native plants and trees.

The majority of trees on the site are to be retained which will provide habitat continuity. Furthermore, those to be removed are a mix of overgrown hawthorn hedgerow and Beech. The majority of trees being retained on the site are Beech. Consequently, the proposal will not reduce the type of habitat available and therefore will not have a significant adverse impact on the biodiversity value of the site.

In addition, as noted by the Ecology Report and as demonstrated in the proposed landscape plans, the proposal involves substantial planting of mixed native species of trees and hedgerow. Whilst it will take several years before these fully contribute to the biodiversity of the area they will, once established, provide greater biodiversity and succession planting which is better for the long term biodiversity of the area.

It is considered that the extensive landscape proposals, subject to full implementation and ongoing maintenance, will mitigate any adverse effects on species and habitat, and in addition, over time, it will help establish a distinctive and pleasant development which should improve the biodiversity of the area. Consequently, the proposal raises no significant issues in terms of the Local Development Plan2 Policies.

Impact on neighbouring properties

It is recognised that the change in nature of the area, from semi-rural to urban, will impact on the general amenity of the area and may impact more on those properties immediately adjacent. However, as stated previously, the site is part of the Council's Housing Land Supply and has been examined and established as part of the Local Development Plan process.

It is considered that the proposal, given its size, will not result in any significant noise impact on the adjacent neighbours or result in light, air or noise pollution on the wider area beyond that which would be normally expected within a residential area. It should be noted that the Council's Environmental Health Service raised no issues in this regard.

As indicated previously, the entrance road will be in an elevated position. As a result, the residents of the houses on Luckiesfauld may feel they have a reduced privacy to their rear gardens. However, this is not considered significant as the road is some 15metres distance and any overlooking will be transient. Furthermore, any overlooking can be mitigated by planting.

It is considered that the proposal retains adequate distance to the existing dwellings and that there will be no significant adverse impact on the amenity of neighbouring properties by unreasonably restricting their sunlight or privacy. In addition, the 3 storey block of flats has been placed away from existing dwellings to minimise its impact on the amenity of neighbours.

Impact on roads

Policies D1 and D8 require proposals to be assessed against the Council's road standards and requires that any transport impact of the development is taken into account. In particular Policy D8 states that proposals will be required to prioritise active travel and to demonstrate a clear sustainable movement hierarchy favouring walking, then cycling, public transport then the private car in accordance with Designing Streets. It also seeks to direct development to sustainable locations where the need to travel is reduced and active travel and public transport infrastructure already exists.

As stated previously, the site is considered to be in a sustainable location with access to public transport facilities and local services and shops all of which are nearby and will encourage people to walk and/or cycle. The proposed green network through the site, is also considered to provide access to the wider green network. Consequently, it is considered that the proposal prioritises active travel and promotes the hierarchy of movement.

A Transport Assessment (TA) was submitted by the applicant, which indicated that the proposed development can be accommodated on the existing public road network without significantly impacting on the capacity of junctions most likely to be used by vehicles associated with the proposed development. The TA is considered to provide sufficient information to demonstrate that the proposed development is accessible via a range of transportation modes and that vehicular trips generated by the development can be accommodated on the public road network without causing capacity issues.

The Council's Roads Service have drawn attention to a previous application (2016/0805/TP), which was approved for the widening of Kirkton Road from its junction with Kingston Road south-eastwards for a distance of approximately 90 metres. The application also included footways on either side of the road. The improvements were required in order to provide a suitable road configuration commensurate with the intensification of use associated with the current application. The Roads Service have stated that this is still required and needs to be in place prior to the start of residential development on site. The previous application (2016/0805/TP) was not implemented and has since lapsed. The current application would not be acceptable in road safety terms without the road widening. However, in order to allow the current application to proceed, the applicant has stated they are willing to accept a condition requiring a planning permission to be obtained prior to development starting on the housing site.

The Roads Service have indicated that the proposed layout has not achieved the desirable visibility splays for the access roads onto Kirkton Road, which should be 2.5 x 90m in both the primary and secondary directions. However, they have indicated the first allowable step down from 90 metres is 70 metres. They have also stated that given the changing nature of the road to a more residential setting, with an increase in movements into/out of driveways and on-street parking which will act to regulate vehicle speeds, they will accept the visibility splays demonstrated by the applicant, which is a reduction from 70metres to 62metres in the primary direction for the junction closest to Kingston Road, and 66metres for the junction furthest from Kingston Road. Similar reductions in the visibility splays are proposed in the secondary direction.

The Roads Service have also indicated that the visibility splays, forward stopping distances and provision of car parking within the site are acceptable.

As a consequence, it is considered that the proposal raises no significant issues in terms of road safety, and therefore is in keeping with the Local Development Plan2 Policies D1 and D8, as well as the Government's Designing Streets policy document.

Drainage

The Local Development Plan2 Policies D1, D6 and E8 requires that water management and Sustainable Urban Drainage Systems (SUDs) are integrated into open space and green infrastructure assets as part of a multifunctional approach. In particular Policy E8 requires SUDs to manage drainage including surface water run-off and water quality. It also states that appropriate long-term maintenance arrangements should be put in place.

The proposal will discharge the foul water from the site into the existing 900mm culvert pipe combined sewer to the northern boundary adjacent to the railway line. The proposed SUDs attenuation basin located to the northern part of the site, will take the surface water for the development and discharge to the Mill Lade, which requires access over land out with the application site. The submitted Flood Risk Assessment (FRA) indicates that the site is not at risk from Fluvial flooding (watercourse) and lies outside of the predicted 200 year floodplain for the Mill Lade and the Kirkton Burn. It also indicates a low risk of flooding to the north of the site from the existing 900mm culvert pipe based on the possibility of it being blocked.

The Drainage Strategy Report states that the proposal is designed for 1 in 30 year post development critical storm, with an allowance of 30% climate change and an additional 10% for urban creep. It should be attenuated within the detention basin to 36l/s which is the equivalent of 2 years greenfield run off. It also states the difference between the 1 in 30 and the 1 in 200 year post development critical storms shall be accommodated within the application site without detriment to properties, within or out with the application site.

The Roads Service have not raised any objections in terms of the SUDs and flooding, however have requested clarification regarding the use of a 225mm pipe within the existing culvert, and whether it forms part of the 900mm culvert. Clarification is also required, given the FRA, regarding the SUDs discharge to the Mill Lade, its condition and how the applicant proposed to achieve the connection given the land is out with the application site. The Roads Service have also stated that the maximum outflow from the SUDs for the development site should not exceed 8 Litre / s / ha. It is considered that further details covering these matters can be addressed by condition prior to any start on site, should the application be approved.

Scottish Water have raised no objection however state in their response that they are unable to reserve capacity at their water and/or waste water treatment works for the proposed development.

SEPA have raised no flooding objection to the proposal.

The Planning Service understand that overflow pipes for a private septic tank are located within the application site. This is a private legal matter between the owner of the site and the person who owns the pipes. However, the Service raised it with the applicant who has amended the design to incorporate the overflow pipes into the proposed foul water system for the development.

Given the above, subject to conditions, the proposal raises no significant issues with regard to Policies D1, D6 and E8.

Ground Contamination

Policy E10 states that where contamination of a site is identified, applicants will be required to submit a contaminated land survey alongside their application. The applicant has not submitted a site investigation demonstrating if the site is suitable for its proposed end use. However, the site has not been identified as a contaminated site, and therefore there is no need for an investigation to be submitted in advance of assessing the application.

The Council's Environmental Health Service have been consulted and state that a Phase 1 or Desk Study site investigation is required to determine any type of contamination likely to be encountered. It is considered that this matter can be adequately dealt with by condition should the application be approved.

Noise

The Local Development Plan Policies D1 and E5 indicates that the impact of noise will be taken into account when assessing relevant development proposals, particularly those that are close to or could become a source of noise. Where it is not possible to separate noise generating uses and noise sensitive land uses, developers will be required to incorporate good acoustic design.

The Scottish Government's Planning Advice Note (PAN) 1/2011: Noise, promotes the principles of good acoustic design and a sensitive approach to the location of new development and a pragmatic approach to the location of new development within the vicinity of existing noise generating uses, to ensure that quality of life is not unreasonably affected. It states that it is preferable that satisfactory noise levels can be achieved within dwellings with the windows sufficiently open for ventilation.

The noise assessment submitted by the applicant confirms that all the properties which are perpendicular to the railway line should meet the required level during the daytime. However the report also indicates that the closest houses will experience internal night noise levels of approximately 60 dB(A) when trains pass which is likely to cause a waking event. This exceeds the World Health Organisation (WHO) guideline value of 45dB(a). As a consequence, the report suggests that the closest proposed dwellings to the railway line will require to keep the windows closed during the night and will require upgraded glazing and acoustic trickle ventilation. The report states that the indoor vibration levels predicted for future dwellings was low.

East Renfrewshire Council's Environmental Health service have raised concerns that the proposal relies on closed windows at night time and that the proposal does not meet the WHO standard. They also point out the revised proposal increases the number of plots affected by this maximum noise level caused by passing trains potentially from 31 units to 37 units.

The Planning Service approached the applicant regarding a solution. However, they have indicated that whilst an acoustic fence would help to reduce anticipated noise levels from the railway line, it would not be sufficient mitigation on its own.

The advice in the PAN indicates that in some circumstances closed windows with alternative means of ventilation may be unavoidable, and that local circumstances should influence the approach taken to noise levels with open or closed windows.

It is noted that there are several existing dwellings, including a development built within the last 20 years located substantially closer to the railway line than the proposed dwellings of the current application. Given the local circumstances, it is considered that whilst there may be some adverse impact on the amenity of future residents at night time, it is not significantly different from the rest of the urban area, and therefore it would be unreasonable to refuse the application on these grounds alone. In addition, as identified by the noise report, the applicant proposes using upgraded glazing and acoustic trickle ventilation which should mitigate any noise issue. Consequently, in terms of noise, there are material considerations that outweigh the aims of the Local Development Plan2.

Other Material Considerations

The consultation response from the Coal authority states that the site does not fall within the defined high risk area and is instead in a low risk area. They therefore request that their Standing Advice is attached to the Decision Notice if the Planning Authority is of a mind to approve the application.

Representations

The issues raised regarding the Local Development Plan2 and Government policy, requirement for housing and housing mix, impact on greenbelt, open space, biodiversity, natural habitat and landscape, residential amenity; the impact on adjacent roads, road safety, parking & congestion, sustainable/active travel; lack of EV charging points and solar panels, lack of infrastructure, impact on existing water and sewerage facilities, impact on neighbouring amenity and properties, height of flats, and house mix/type are all material considerations in assessing this application and have been addressed in the above report. Construction vehicles and disturbance has been dealt with by conditions controlling hours of operations.

The issue raised regarding loss of views is not a material consideration under planning legislation. The matter raised regarding possible upgrading and use of the footbridge involves land outwith the application site and outwith the scope of this application and therefore it would be unreasonable to impose this cost on the applicant.

The matters raised by letters in support, notably regarding local housing provision, economic and social benefits for community, and sustainable location are all material considerations and are also considered in the above report.

Overall Conclusion

The application site is identified in the Local Development Plan2 for residential development. The principle of the development has been established through the adoption of Local Development Plan2 and what is being considered in this application is the detail of the development.

The proposal has undergone extensive revisions to ensure that it meets the Council's Local Development Plan2 objectives and delivers on the 6 qualities of successful place. The application exceeds the affordable housing requirements, providing a range of house tenures, types and sizes to meet local needs. Through Development Contributions, it will contribute to local services and community facilities to serve the existing and growing community.

The proposal will also help promote the viability and vitality of local facilities and shops, as well as promote sustainable and active transport given its proximity to Neilston town centre and public transport network. In addition, it will provide a green network and play facilities that will serve the local community as well as the future residents of the site. Whilst the loss of the existing trees and hedgerows is regrettable, the proposed landscape and planting regime, in time, will provide a greater biodiversity value to the area.

Consequently, it is considered that the proposal accords with the development plan and is acceptable at this location. There are no material considerations, including representations that outweigh the relevant policies. It is therefore recommended that this application be approved subject to conditions and the satisfactory conclusion of a legal agreement to deliver the affordable housing and development contributions towards infrastructure as outlined in the above report.

RECOMMENDATION: Disposed to grant subject to conditions following the conclusion of a legal agreement relating to the delivery of affordable housing and payment of development contributions.

PLANNING OBLIGATIONS: Should the application be approved a legal agreement relating to the delivery of affordable housing and development contributions that includes payments for the following: Education (Early Years, Primary and Secondary); Community Facilities (Community Halls & Libraries and Sports); and Parks and Open Space is required.

CONDITIONS:

1. No development can commence for any works hereby approved until Kirkton Road is widened from its junction with Kingston Road south-eastwards for a distance of approximately 90 metres. The road shall be widened to accommodate a 5.5 metres wide carriageway with contiguous 1.5 metre wide footways on either side of the carriageway.

For the avoidance of doubt this condition does not preclude the requirement for all necessary consents and permissions to be obtained in advance of the widening of Kirkton Road.

Reason: In the interest of the safety of road users.

2. A Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors. Development shall not begin until the report of this investigation has been submitted to and approved in writing by the Planning Authority.

If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved in writing by the Planning Authority. This survey shall investigate all aspects of potential contamination of the site including the land under the current buildings. The report of the investigation shall clearly document the methodology, findings and results. The risk posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations made for further investigations or remediation options to reduce those risks identified.

Analytical and investigatory work used to support the conclusions of the survey shall include all results, logs etc. and information regarding the methodology and Quality Assurance Systems used.

Guidance is given in: CIRIA C552 - 'Contaminated Land Risk Assessment. A Guide to Good Practice' by the DETR and CIRIA 'Guidance for the Safe Development of Housing on Land Affected by Contamination' by the NHBC & Environment Agency and "Land Contamination and Development" by Environmental Protection Scotland.

The developer's reports of 'Site Investigation', 'Risk Assessment' and 'Remediation Options and the final Remediation Plan' shall be submitted to the Planning Authority, for written approval, prior to commencement of development works on the site.

Changes to the approved Remediation Plan may only be made with the written agreement of the Planning Authority. Occupation of premises shall not be permitted until remediation/control measures are fully implemented.

On completion of all remediation works, a Completion Report shall be submitted to the Planning Authority confirming the works have been carried out to the agreed plan.

Reason: To allow the Planning Authority to consider the matter fully and in order to ensure that the site is fit for the use.

3. 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.

4. 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 Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

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

Reason: To ensure the development is acceptable in appearance.

6. Development shall not commence until a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:-
- i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
 - ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees, shrubs and other planting to be planted;
 - iii) Other structures such as street furniture;
 - iv) Details identifying areas of public open space and/or areas of common ownership;
 - v) Details of the phasing of the landscaping works;
 - vi) Proposed levels;
 - vii) Schedule of maintenance and a management scheme to ensure that the landscaped areas and other areas of common ownership are maintained to an approved standard for a period of five years. Any trees, shrubs or areas of grass which die, are removed, damaged or diseased within five years of the completion of the landscaping shall be replaced in the next planting season with others of a similar size and species.

For clarification, all planting proposed are to be native species.

For further clarification, the proposed landscaping between the entrance road (nearest to Kingston Road) and the houses on Luckiesfauld shall be designed to include standard trees to provide screening to the said houses in the shortest time period possible.

Thereafter the landscaping works and maintenance and management scheme shall be fully implemented as approved.

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

7. Notwithstanding the drawings hereby approved and unless otherwise agreed in writing with the planning authority, the proposed 70 degree slope adjacent to plots 31 & 37 as submitted is not approved and revised drawings and information to provide a gradient which will not require an engineered finish and can accommodate trees/planting shall be submitted to and approved in writing by the Planning Authority.

Thereafter the embankment shall be implemented as approved.

Reason: To minimise the visual impact of the proposed landraising/embankment and to ensure that it can be fully landscaped and maintained.

8. Development shall not commence until a scheme for the provision of the play areas has been submitted to and approved in writing by the Planning Authority and shall include:
- a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
 - b) details of the surface treatment of the play area, including the location and type of safety surfaces to be installed;
 - c) details of fences to be erected around the play area(s);
 - d) details of the phasing of these works; and
 - e) details of the future maintenance of the play area(s).

For clarification, the informal active play area shall be designed to incorporate natural play components such as plants, logs, water, sand, mud, boulders, hills and trees.

The play area and informal active play area shall both be designed/equipped to cater for more than one activity and age group.

Thereafter the play area(s) shall be implemented as approved and maintained in accordance with the approved scheme.

Reason: To ensure the provision of adequate active open space and play facilities within the site.

9. Notwithstanding the drawings hereby approved, all footpaths must be designed and constructed to allow access for all.

Reason: To ensure that the proposal is constructed to ensure accessibility.

10. Visibility splay of 2.5 metres by 62 metres in the primary direction and 2.5 metres by 64 metres in the secondary direction shall be provided at the northern junction of the new access with Kirkton Road prior to the occupation of any house.

Visibility splay of 2.5 metres by 59 metres in the primary direction and 2.5 metres by 66 metres in the secondary direction shall be provided at the southern junction of the new access with Kirkton Road prior to the occupation of any house.

No features above a height of 1.05 metres shall be allowed within the splays. The splays must be maintained in perpetuity.

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

11. Notwithstanding the approved plans, prior to the commencement of any development on site, the applicant shall demonstrate that they can achieve a connection to discharge the surface water from the SUDs pond to the satisfaction of the Planning Authority. The information shall include details and location of proposed pipes and any proposed connections (including details of the condition of any proposed connection).

Reason: To ensure that the development can adequately discharge the surface water.

12. The maximum discharge rate from the SUDs pond shall not exceed 8 litres/second/hectare.

Reason: To ensure that the development can adequately discharge the surface water.

13. Notwithstanding the plans hereby approved, the development shall not commence until the trees identified in the revised Arboricultural Report for retention are protected as per the recommendations and mitigation measures of the revised Arboricultural Report. In particular, the mitigation measures in the revised Arboricultural Report identified to minimise the impact of landraising within the canopies of the trees along the boundary with Neilston House shall be implemented in full.

Thereafter the tree protection measures shall remain in position throughout the construction of the development.

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.

14. Prior to commencement of works on site including any removal and/or works affecting trees and/or hedgerow, a scheme for protecting animals as per the recommendations contained with the Ecological Assessment (as revised) will be submitted to and approved by the Planning Authority. This scheme shall include details of phasing and mitigation measures should the developer come across protected species on site during the course of construction.

Thereafter the approved scheme shall be implemented as approved.

Reason: To protect protected species and to allow the Planning Authority to consider these matters further.

15. Notwithstanding the consent hereby approved, surveys for protected species shall be undertaken within a year of the last survey (September 2021) if the development has not started within the said time period. The surveys shall be approved in writing by the Planning Authority in advance, along with any mitigation including phasing of development, prior to works commencing on site.

Reason: To protect protected species and to allow the Planning Authority to consider these matters further.

16. No development shall take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and

recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In order to identify and protect any archaeological remains and to allow the Planning Authority to consider this matter in detail.

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

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

18. 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 such activities 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.

19. Unless otherwise agreed in writing with the planning authority, prior to commencement of the development, a scheme including phasing shall be submitted to and approved by the Planning Authority for the installation of EV Charging points and solar panels within the site as required by the Local Development Plan2 Policy D11. Thereafter the scheme shall be implemented as approved.

Reason: In order for the Planning Authority to consider these matters further and to ensure the development complies with the Local Development Plan2.

20. The mitigation measures identified in the Noise & Vibration Impact Assessment (as revised) shall be implemented in full before any dwelling which is identified in the said assessment as requiring the mitigation measures is occupied.

Reason: To minimise impact of noise on future residents.

21. Prior to commencement of the development, a scheme shall be submitted to and approved by the Planning Authority setting out the measurements that have been or will be put in place within the site as required by the Local Development Plan2 Policy E1. The said scheme shall include any phasing details as necessary. Thereafter the scheme shall be implemented as approved.

Reason: In order for the Planning Authority to consider these matters further and to ensure the development complies with the Local Development Plan2.

ADDITIONAL NOTES:

The applicant is advised to contact Scottish Water, Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, prior to commencing any works on site.

In addition to planning legislation, I would draw your attention to the provisions of the Nature Conservation (Scotland) Act 2004 and the Wildlife and Countryside Act 1981 with regard to the protection of Wildlife and, in particular, the needs to ensure that all works are preceded by a check for nesting birds. It is a criminal offence to intentionally or recklessly damage, destroy or otherwise

interfere with any wild bird nest which is in use or being built or, which, at any other time, is habitually used by certain birds protected by special penalties. Where it is proposed to carry out works which will affect European Protected Species (including bats) or their shelter/ breeding places, checks should first be made by an appropriate bat surveyor. In the event a protected species would be affected a licence is required from the Scottish Government. Further information on these matters can be sought initially from Scottish Natural Heritage or Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh.

The applicant is requested to comply with the requirements of Scottish Environment Protection Agency (SEPA).

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

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

The 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.

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

The developer should contact Network Rail Asset Protection Engineer, 151 St Vincent Street, Glasgow, G2 5NW. Tel: 0141 555 4087 Email: AssetProtectionScotland@networkrail.co.uk

ADDED VALUE:

A legal agreement is required to secure essential aspects of the development and to ensure the proposal complies with the Council's Local Development Plan2 policies.

Design, layout and/or external material improvements have been achieved during the processing of the application to ensure the proposal complies with the Council's Local Development Plan2 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 Development Plan2 policies.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr John Drugan on 0141 577 3861.

Ref. No.: 2019/0788/TP
(JODR)

DATE: 9th June 2022

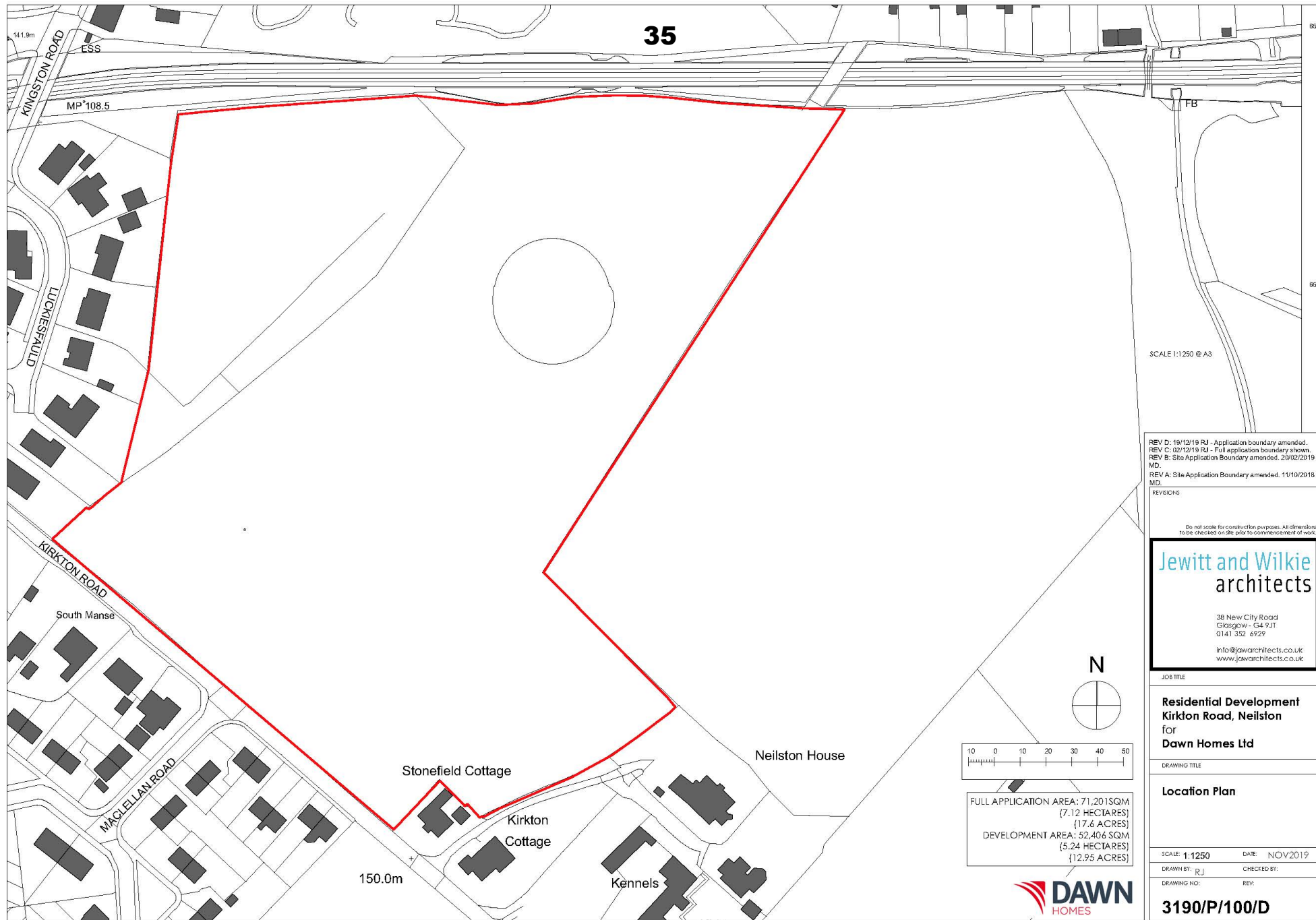
DIRECTOR OF ENVIRONMENT

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2019/0788/TP

Erection of residential development (comprising 80 dwellinghouses and 10 flats) with associated access roads, landscaping and SUDS (major)

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35

141.9m

MP 108.5

KINGSTON ROAD

LUCKIESFAULD

KIRKTON ROAD

South Manse

MACLELLAN ROAD

150.0m

Stonefield Cottage

Kirkton Cottage

Kennels

Neilston House

SCALE 1:1250 @ A3

REV D: 19/12/19 RJ - Application boundary amended.
 REV C: 02/12/19 RJ - Full application boundary shown.
 REV B: Site Application Boundary amended. 29/02/2019 MD.
 REV A: Site Application Boundary amended. 11/10/2018 MD.

REVISIONS

Do not scale for construction purposes. All dimensions to be checked on site prior to commencement of work.

Jewitt and Wilkie
 architects

38 New City Road
 Glasgow - G4 9JT
 0141 352 6929
 info@jwarchitects.co.uk
 www.jwarchitects.co.uk

JOB TITLE

Residential Development
Kirkton Road, Neilston
 for
Dawn Homes Ltd

DRAWING TITLE

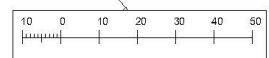
Location Plan

SCALE: 1:1250 DATE: NOV2019

DRAWN BY: RJ CHECKED BY:

DRAWING NO: REV:

3190/P/100/D

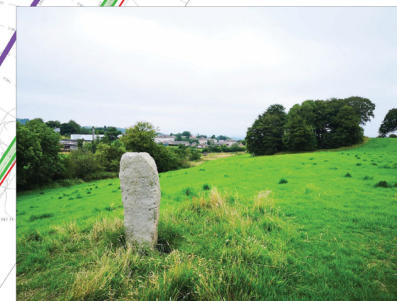


FULL APPLICATION AREA: 71,201 SQM
 (7.12 HECTARES)
 (17.6 ACRES)
 DEVELOPMENT AREA: 52,406 SQM
 (5.24 HECTARES)
 (12.95 ACRES)





FROM CURRENT SITE ACCESS TO COPSE OF TREES



FROM STANDING STONE TO COPSE OF TREES



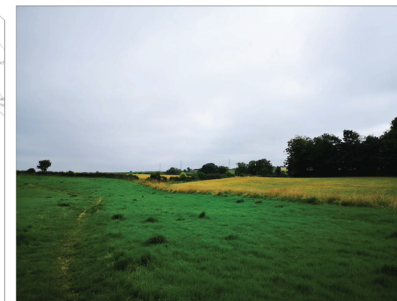
TOPOGRAPHY AT COPSE OF TREES



LOOKING WEST TO POTENTIAL NEW LINK PATH ROUTE



LOOKING ALONG EXISTING PATH ROUTE TO KIRKTON ROAD



LOOKING TOWARDS PHASE 2 SHOWING HEDGEROW

Jewitt and Wilkie architects

38 Howe Close Road
 Glasgow G4 7JF
 0141 552 4100
 info@jewittandwilkie.co.uk
 www.jewittandwilkie.co.uk

Job No. 18

Residential Development
 Kirkton Road, Neilston
 for Down Homes Ltd

DATE: 03/06/2021

SCALE: 1:500

DATE: 03/06/2021

PROJECT NO: 18

DATE: 03/06/2021

PLANNING APPLICATION

3190/P/900



37

Legend

Type	beds	sqm	sqft	No.	
Esk	EK	3	78.5	845	12
HA2	HA2	2	79.0	862	04
Carrick	CK	3	89.5	963	16
Kinloch	KL	3	90.0	968	10
Leith	LE	3	91.2	981	10
HA3	HA3	3	91.6	986	10
Cromarty	CR	3	96.2	1035	04
Irvine	IR	4	111.0	1192	06
Leven	LV	4	111.6	1200	03
Annan	AN	4	117.0	1262	04
Etive	ET	4	123.5	1329	01
TOTAL HOUSE PLOTS				80	
Fiat Type 01	2	73.3	789	05	
Fiat Type 02	2	76.5	823	05	
TOTAL APARTMENTS				10	
TOTAL				90	

Total Number of Units	90
Percentage of Affordable Units Required	25% (23)
Number of Affordable Units	24
In-Curtlage/Allocated Parking (excl. garages)	149 spaces
Unallocated/Visitor Parking	79 spaces
Total Parking across site (excluding garages)	228 spaces

DEVELOPMENT AREA: 52.404 SQM (5.24 HECTARES) [12.95 ACRES]

APPLICATION BOUNDARY

- In-curtlage parking space
- Allocated parking space
- Unallocated/Visitor space
- Refuse collection point

Jewitt and Wikie architects

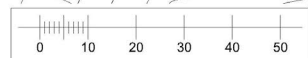
18 Howe Close
Dunfermline - G4 9JF
01463 552 8559
info@jewittandwikie.co.uk
www.jewittandwikie.co.uk

DAWN HOMES

Residential Development
Kirkton Road, Neilston
for Dawn Homes Ltd

Overall Site Layout DRAFT
211210
DRAFT

SCALE: 1:500 DATE: FEB 2021
DRAWING NO: 211210
DRAWING TITLE: 3190/P/200/T





38

FORMAL PLAY AREA

- NOTES:-**
1. THE EARTHWORKS VOLUMES ARE MEASURED FROM EXISTING SITE LEVEL TO THE PROPOSED SITE FINISHED GROUND LEVEL. NO CONSTRUCTION CUTTING HAVE BEEN DEMONSTRATED.
 2. NO SITE SCHEME HAS BEEN ASSUMED AT THIS TIME.
 3. ALL VOLUMES ARE BASED ON CONCEPTUAL MODELS CREATED USING EXISTING AND PROPOSED LEVEL.
 4. ALL VOLUMES ASSUME THERE IS 100% COMPACTION / NO Voids IN ANY MATERIAL BEING EXCAVATED OR PLACED.

CUT & FILL QUANTITIES:-

TOTAL:	CUT (m ³)	FILL (m ³)
	6560	41263

DO NOT SCALE

THIS DRAWING TO BE READ IN CONJUNCTION WITH THE RELEVANT SPECIFICATION AND ALL OTHER RELEVANT DRAWINGS ISSUED BY THE ENGINEER AND ARCHITECT.

1. ALL DIMENSIONS TO BE IN MILLIMETRES (I.N.O.).
2. ALL LEVELS ARE IN METRES ABOVE ORDNANCE DATUM (I.N.O.).
3. DO NOT SCALE FROM THE DRAWING OR THE COMPUTER DIGITAL DATA. ONLY FIGURED DIMENSIONS ARE TO BE USED.
4. ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE AND THE ENGINEER NOTICED OF ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
5. ALL PROPRIETARY PRODUCTS TO BE AS SPECIFIED OR EQUAL APPROVED.

IMPORTANT

HEALTH, SAFETY & ENVIRONMENTAL INFORMATION

IT IS ASSUMED THAT ALL WORKS WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROVED METHOD STATEMENT.

IN ADDITION TO THE HAZARDS AND RISKS NORMALLY ASSOCIATED WITH THE TYPE OF WORK DETAILED ON THIS DRAWING, PLEASE NOTE THE FOLLOWING ADDITIONAL RISKS TO HEALTH AND SAFETY:

REV	DATE	BY	DESCRIPTION	DATE
B	20-03-2022	CC	RE-DRAWN	
A	13-03-2022	ER	ISSUED	



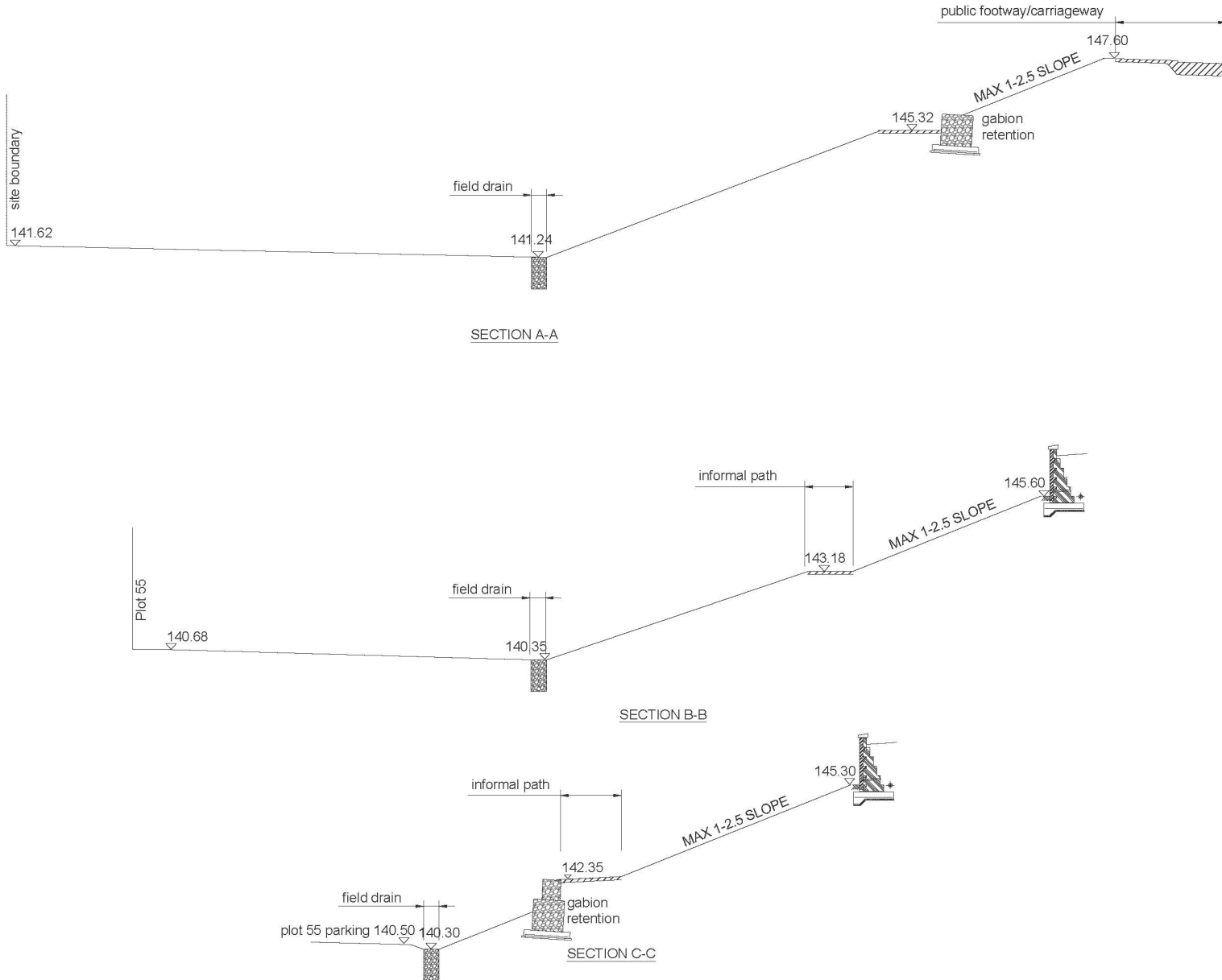
CS Eng
 Pavilion 7, 325 Govan Road, Glasgow G51 2SE
 0141 427 6500 | email@csenggroup.co.uk



KIRKTON ROAD,
NEILSTON

CUT & FILL
ISOPACHYTE CONTOURS

SCALE:	1:500 @ A0	CC	DATE:	02.03.2022	
NO:	Z1-104	SHEET:	35	OF:	B



DO NOT SCALE

1. THIS DRAWING TO BE READ IN CONJUNCTION WITH THE RELEVANT SPECIFICATION AND ALL OTHER RELEVANT DRAWINGS ISSUED BY THE ENGINEER AND ARCHITECT.
2. ALL DIMENSIONS TO BE IN MILLIMETRES (U.N.O.).
3. ALL LEVELS ARE IN METRES ABOVE ORDNANCE DATUM (U.N.O.).
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REV	DATE	BY	DESCRIPTION	CHECK
-	-	-	-	-



CSEng

Pavilion 7, 325 Govan Road, Glasgow G51 2SE
0141 427 6640 | enquiries@cseengroup.co.uk



ADDRESS:

PROJECT:

KIRKTON ROAD,
NEILSTON

DRAWING TITLE:

SECTIONS THRU
INFORMAL PATH & FIELD DRAIN

SCALE: 1:125 @ A3
DESIGN: DL
CHECKED:
DATE: 02.03.2022

PROJECT REF: 21-104
DRAWING REF: SK-005
REV:



Green Corridor:
 • Proposed path through development and to further green space.
 • Dedicated play area

Landscape edge to development. To include:
 • Native Shrub Mix, and
 • Standard tree planting

Street design aims to integrate natural landscape features and foster positive biodiversity
 Careful consideration to be given to appropriate tree selection and location

- Indicative Species selection:
- SMALL TREES (<10m)**
- Acer griseum (Paperbark Maple)
 - Amelanchier lamarckii (Snowy Mesquiaz)
 - Carpinus betulus 'Frans Fontaine' (Hornbeam 'F Fontaine')
 - Juniperus scopulorum (Rocky Mountain Juniper)
 - Prunus Amadoniana (Flag Pole Cherry)
 - Sorbus vilmosinii (Vilmorin's Rowan)
 - Tilia mongolica (Mongolian Lime)

- LARGE TREES (>20m)**
- Castanea sativa (Sweet Chestnut)
 - Fagus sylvatica (Common Beech)
 - Pinus sylvestris (Scots Pine)
 - Quercus robur (Pedunculata Oak)
 - Quercus petraea (Sessile Oak)
 - Tilia x euchlora (Lime aphid free)
 - Tilia platyphyllos 'Rubra' (Broad-leaved red Lime)

- MEDIUM TREES (10 - 20m)**
- Acer campestre (Field Maple)
 - Alnus glutinosa (Common Alder)
 - Acer platanoides 'Columnare'
 - Betula pendula (Common Birch)
 - Betula papyrifera (Paper-barked Birch)
 - Betula pubescens (Downy Birch)
 - Betula vitulifolia 'Jackquemanor' (White Birch)
 - Pyrus colleyrana 'Chanticleer' (Collery Pear)
 - Quercus robur 'Koster' (Fastigate Oak 'Koster')
 - Sorbus aria 'Lutescens' (Whitebeam 'Lutescens')

All proposed landscaping to accord with Rail Link and Designing for Aerodromes guidance



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Drawn: Landscape Concept/ Framework
 Job: Kirkton Rd, Neilston
 Client: Dawn Homes
 No: 098.59.01g
 Date: Aug 2018 1:500 @ A1





SECOND FLOOR
SCALE 1:100 @ A1



FIRST FLOOR
SCALE 1:100 @ A1



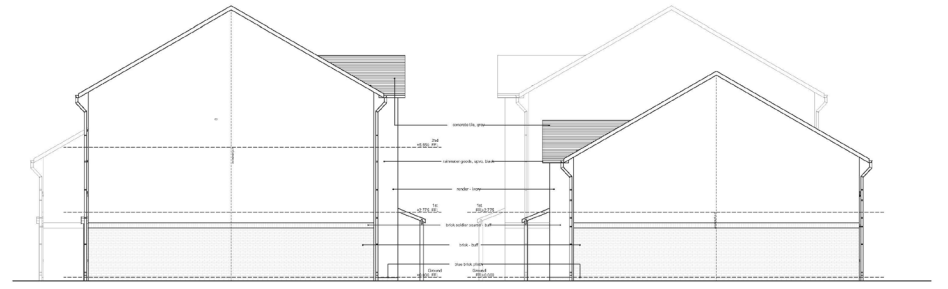
GROUND FLOOR
SCALE 1:100 @ A1



FRONT ELEVATION
SCALE 1:100 @ A1



REAR ELEVATION
SCALE 1:100 @ A1



GABLE ELEVATION 01
SCALE 1:100 @ A1

GABLE ELEVATION 02
SCALE 1:100 @ A1



FLATS ROOF PLAN IN CONTEXT

REV: 1 - 02/06/2019 - Flat layouts updated to reflect existing flat layout which requirements for Housing Association use.
REV: 2 - 05/07/2019 - Final elevations attached to show gables in elevation.

REVISED

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www.jwawillie.co.uk

Jewitt and Wilkie architects

Residential Development
Kilburn Road, Histon
for Down Homes Ltd

Flat Plans and Elevations as Proposed

SCALE: 1:100, 1:500
DRAWN: CBE/MS/SP
DATE: 02/06/2019

3190/P/300/B