

Planning Application: Report of Handling



Renfrewshire
Council

Reference No. 22/0569/PP

KEY INFORMATION

Ward: 4 – Paisley
Northwest

Applicant: J29
(Scotland) Ltd c/o AS
Homes Scotland Ltd

Registered: 01/09/2022

Report by Head of Economy & Development

PROSPECTIVE PROPOSAL: Approval of Matters Specified in Conditions 2, 4 and 6 of planning permission in principle approval 18/0638/PP, for the erection of a residential development comprising 180 dwellinghouses

LOCATION: Land at Junction 29, St James Interchange, Ferguslie Park (Bound by Ferguslie Park Avenue, Existing Railway Line, A737 And Blackstoun Road)

APPLICATION FOR: Approval of Matters Specified in Conditions



© Crown Copyright and database right 2021. All rights reserved. Ordnance Survey Licence number 100023417.

RECOMMENDATION

Refuse

IDENTIFIED KEY ISSUES

- Planning permission in principle was previously granted for a mixed-use development to include residential use as well as hotels; a pub/restaurant; business, general industry, storage & distribution; and long stay car parking.
- This application seeks approval of matters specified in conditions 2, 4 and 6 of the in principle consent as regards the residential development of 180 dwellings.
- The site is identified as a Housing Land Supply Site in the Renfrewshire Local Development Plan under which Policy P2 applies.
- Children's Services have objected on the grounds that current school capacities are insufficient to accept additional pupils from the new houses.
- Chief Executive's Service (Roads Development) have objected to the site's lack of connectivity.

Alasdair Morrison
Head of Economy &
Development

REPORT OF HANDLING FOR APPLICATION 22/0569/PP

SITE ADDRESS	Land at Junction 29, St James Interchange, Ferguslie Park (Bound by Ferguslie Park Avenue, Existing Railway Line, A737 And Blackstoun Road)
PROPOSAL	Approval of Matters Specified in Conditions 2, 4 and 6 of planning permission in principle approval 18/0638/PP, for the erection of a residential development comprising 180 dwellinghouses
RECOMMENDATION	Refuse

PROPOSALS	<p>This application relates to an area of land situated to the south of the A737 and Junction 29 of the M8 Motorway and north of Ferguslie Park Avenue in Paisley.</p> <p>Planning permission in principle was previously granted in 2019 (ref 18/0638/PP) for a mixed-use development on the land to include residential use as well as hotels, a pub/restaurant, business, general industry, storage & distribution uses and long stay car parking. This current application seeks the approval of matters specified in conditions 2, 4 and 6 of the planning permission in principle consent as regards the residential element of the wider mixed-use development.</p> <p>Condition 2 of the planning permission in principle consent (ref: 18/0638/PP) required that prior to development commencing on any area/phase of the site, a further application setting out detailed plans and other relevant information must be submitted and approved by the Planning Authority for the particular area or phase in question. As such, this application seeks consent for the detail of the residential element and in this respect is seeking approval of a residential layout comprising 180 dwellinghouses. Condition 2 in this regard requires the submission of:</p> <ul style="list-style-type: none"> (a) the siting, design and external appearance (including details of materials to be used) of all buildings and other structures within the site; (b) the details of; and timetable for, the hard, soft and water landscaping of the site; (c) the design and location of all boundary walls and fences, including along the boundary with Network Rail's land; (d) the provision of drainage works; (e) the disposal of sewage; (f) the submission of a detailed survey showing the location and nature of all trees and hedges within the site; (g) access and parking arrangements, including the provision of any new roads and junctions;
-----------	--

- (h) the layout of the site;
- (i) a Site Investigation report (characterising the nature and extent of any soil, water and gas contamination within the site); and, if remedial works are recommended therein;
- (j) a Remediation Strategy and Implementation Plan identifying the proposed methods for implementing all remedial recommendations contained with the site investigation report prepared in accordance with current authoritative technical guidance, has been provided by the Planning Authority; and
- (k) a report which satisfies the Planning Authority that the Local Air Quality Management Objectives for the pollutants specified in the relevant Air Quality Regulations, made under Part IV of the Environment Act 1995, shall not be exceeded at any location at or in the vicinity of the development where 'relevant exposure' is liable to occur. In addition, the overall significance of the air quality impacts from the development shall be assessed and clearly defined within the report with mitigation proposed where required. The survey and report shall adhere to the methods and principles set out in the Scottish Government publication 'Local Air Quality Management Technical Guidance LAQM.TG(16)' and the EPUK guidance document 'Land-Use Planning & Development Control: Planning for Air Quality (January 20017)' or a method that has been agreed with the Planning Authority.

Additionally, Condition 4 of the planning permission in principle consent states that the detailed submission required by Condition 2 must also contain a Drainage Impact Assessment (DIA), while Condition 6 requires the submission and approval of a Noise Impact Assessment (NIA) prior to any phase of the development being brought into use. As such, the applicant has also submitted a DIA and NIA in seeking approval of conditions 4 and 6 respectively.

The proposed residential development, including its access, would occupy an area of approximately 6.7 hectares towards the east of the wider development site area. To the north-east the site is bound by an existing railway line which connects Paisley with Inverclyde, while to the west is an existing long stay car park. To the north, the residential site is bound by part of the adjoining land to which the wider planning permission in principle relates, with the area immediately to the north having been identified for the pub/restaurant and hotel uses in an indicative plan submitted with the previous application.

The residential development would be bounded to the south by a raised bund which marks the route of a dismantled railway line which previously ran parallel to Ferguslie Park Avenue to the south. The development would be accessed from Ferguslie Park Avenue via a road which would be formed along the line of the former Middleton Road which previously provided access to a smaller area of housing

	<p>to the north of the bund long since demolished. The road would run roughly north-north-west from Ferguslie Park Avenue, passing through a gap in the bund formed by the previous road. This would lead to T-junction and the proposed residential development which would be formed around a series of new interconnecting roads.</p> <p>The houses would comprise 25 three-storey townhouses and 155 two-storey units contained within a variety of detached, semi-detached and terraced house types. 102 of the units would accommodate three bedrooms, with the remaining units comprising a mixture of 2-bed, 4-bed and 5-bed properties. The finishing materials would include dry dash render and concrete roof tiles, with 146 of the houses featuring white render with grey roof tiles and the remaining 34 being of an alternative colour scheme featuring cream/magnolia render and “rustic red” roof tiles.</p> <p>The development layout also features a play area to the north end of the site and an open space area towards the south, with a further area of open space adjacent to the existing railway line to the north-east. The development would also be served by a Sustainable Drainage System which would entail the collection and routing of surface drainage to a detention basin in the south-west of the application site.</p>
SITE HISTORY	<p>92/1342/PP - Application for the erection of Class 11 warehousing, surface car parking, a hotel, leisure facility (including 5-a-side-football pitches and golf driving range) and a car showroom/workshop/petrol filling station was subject of an appeal against the non-determination by the former Renfrew District Council. The appeal was subsequently upheld and a conditional planning consent granted on 22 February 1994.</p> <p>97/0725/PP - Planning permission granted in outline for a mixed use development comprising hotel, licensed restaurant, class 6 (six) storage and distribution, 5-a-side soccer ground, golf driving range, petrol filling station and allotments with new access and associated infrastructure and landscaping on 17 December, 1999. A number of related reserved matters applications have also been approved under the umbrella of the original outline consent to purify conditions and achieve consent for detailed matters such as siting, design, layout, landscaping, access and materials for the various component parts of the overall scheme.</p> <p>02/1304/PP - Mixed use development comprising hotel, licensed restaurant, Class 6 warehousing, 5-a-side soccer ground, golf driving range, petrol filling station and allotments with new access and associated infrastructure and landscaping (reserved matters No. 1 application for outline planning permission re. 97/0725/PP). Granted subject to conditions March 2003.</p> <p>02/1338/PP - Mixed use development (reserved matters no. 2 application for 140 bedroom hotel to include increased leisure facilities). Granted subject to conditions July 2003.</p>

	<p>02/1339/PP - Mixed Use development (reserved matters no. 3 application for landscaping works and drainage/sewerage works). Granted subject to conditions December 2003.</p> <p>02/1340/PP - Mixed use development (reserved matters no. 4 application for relocation of licensed restaurant as alternative to earlier position shown in 02/1304/PP). Granted subject to conditions May 2003.</p> <p>02/1341/PP - Mixed use development (reserved matters no. 6 application for relocation of petrol filling station). Granted subject to conditions June 2003</p> <p>02/1342/PP - Mixed use development (reserved matters no. 5 application for 140 bedroom hotel). Granted subject to conditions July 2003.</p> <p>02/1343/PP - Mixed use development (reserved matters no. 8 application for road infrastructure works) to open up Middleton Road to through traffic. Granted in part June 2004.</p> <p>02/1344/PP - Mixed use development (reserved matters no. 7 application for floodlit 5-a-side football pitches (9 no.) together with associated changing facilities). Granted subject to conditions June 2003.</p> <p>04/0786/VR - Variation of condition 7 of outline planning permission 97/0725/PP to enable the commencement of construction works for:- (a) site access road from A726 to first roundabout within the site, and (b) erection of petrol filling station prior to the completion of infrastructure works at St James Interchange as detailed in the Dougall Baillie Associates drawing no. 8008/SK/04 dated June 1999. Granted subject to conditions August 2004.</p> <p>06/0031/PP - Mixed use development comprising storage and distribution, leisure/hotel, residential, hospital (ACAD facility) and hotel/restaurant/public house and erection of advertising feature. Granted subject to conditions May 2008.</p> <p>06/0033/VR - Partial deletion of condition 1. Granted subject to conditions April 2005.</p> <p>06/0435/PP - Erection of residential development and formation of access roads. Refused June 2010.</p> <p>18/0638/PP - Erection of mixed use development comprising residential (Class 9), hotels (Class 7), pub/restaurant (Sui Generis/Class 3), business (Class 4), general industrial (Class 5), storage and distribution (Class 6) and long stay car parking with associated access, infrastructure, landscaping and miscellaneous works (in principle). Granted subject to conditions, March 2019.</p>
--	--

CONSULTATIONS	<p>Chief Executive’s Service (Roads Development) – Object to the site’s lack of connectivity. Comments also made regarding access and parking.</p> <p>Chief Executive’s Service (Development Plans & Housing Strategy) – No objections.</p> <p>Communities & Housing Services (Environmental Protection Team) – No objections subject to conditions requiring mitigation in relation to aircraft and railway noise and the submission of a verification report to confirm all agreed mitigation measures in relation to site contamination are undertaken.</p> <p>Children’s Services – Object to the development on the grounds that existing schools serving the area currently lack capacity. The capacities of St Andrew’s Academy and St Fergus Primary School are both currently above 85%.</p> <p>Glasgow Airport Safeguarding – do not object to the proposed development. Comments have been made in relation to impacts from aircraft noise and landscaping. They advise that the proposed housing would be sited within an area where the 57dB aircraft noise contour is exceeded and that the landscaping proposed may increase the potential for “bird strike” in respect of passing aircraft.</p> <p>Health and Safety Executive – No objection</p> <p>NATS – No objection.</p> <p>Network Rail – No objection subject to advisory guidance that prior to development commencing details regarding certain aspects in relation to construction are submitted to Network Rail’s Asset Protection Engineer for approval.</p> <p>Scottish Water – No objection.</p> <p>Transport Scotland – No objection.</p> <p>Informative to be added: Not applicable</p>
REPRESENTATIONS	None received.
DEVELOPMENT PLAN POLICIES	<p>Policy and Material Considerations</p> <p>Legislation requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the proposal must be assessed against the following:</p> <p>Development Plan</p>

	<p><u>National Planning Framework 4</u> Policy 1 – Tackling the climate and nature crises Policy 2 – Climate mitigation and adaptation Policy 6 – Forestry, woodland, and trees Policy 9 – Brownfield land, vacant and derelict land, and empty buildings Policy 13 – Sustainable transport Policy 14 – Design, quality, and place Policy 15 – Local living and 20 minute neighbourhoods Policy 16 – Quality Homes Policy 18 – Infrastructure first Policy 22 – Flood risk and water management Policy 24 – Health and Safety</p> <p><u>Renfrewshire Local Development Plan</u> Policy E3 – Transition Areas (Development Opportunity Site) Policy P1 – Renfrewshire’s Places Policy P2 – Housing Land Supply Sites Policy P3 – Housing Mix and Affordable Housing Policy I1 – Connecting Places Policy I3 – Flooding and Drainage Policy I7 – Zero and Low Carbon Buildings Policy I8 – Developer Contributions Policy ENV2 – Natural Heritage Policy ENV5 – Air Quality</p> <p><u>New Development Supplementary Guidance</u> Delivering the Places Strategy Delivering the Infrastructure Strategy Delivering the Environment Strategy</p> <p><u>Material Considerations</u> Renfrewshire’s Places Residential Design Guide – March 2015 Scottish Government publications on Designing Streets and Designing Places</p>
<p>PLANNING ASSESSMENT</p>	<p>Section 25 of the Town and Country Planning (Scotland) Act requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the National Planning Framework 4 (2023) and the adopted Renfrewshire Local Development Plan (2021).</p> <p>The fourth National Planning Framework (NPF4) provides the long-term national spatial strategy for planning in Scotland. It sets out the Scottish Government’s current view on delivering sustainable, liveable and productive places through the application of spatial principles.</p> <p>Policy 16 (Quality Homes) of NPF4 states that development proposals for new homes on land allocated for housing in the Local Development Plan shall be approved. In this respect, planning permission in principle has previously been granted for residential</p>

development at the site subject to a condition that the extent of residential development would cover a maximum of 10 hectares site area or 250 units, whichever is the lesser. The proposal in this case is for 180 units over an area of approximately 6.7 hectares and therefore accords with this condition.

The application site is designated in the Adopted Renfrewshire LDP as a Housing Land Supply Site under which **Policy P2** of the LDP applies. Additionally, the wider area containing the Housing Land Supply Site is also designated as a Transition Area, under which Policy E3 is applicable. Policy P2 and associated Appendix 1 identify the site as having a capacity for 150 dwelling units, while **Policy E3** outlines a range of additional uses appropriate in the wider Transition Area including business, general industry, storage and distribution, hotels, leisure uses, educational facilities and other commercial uses of appropriate scale.

While the proposal for 180 units exceeds the figure of 150 quoted in Appendix 1, it is less than the maximum 250 allowed under the planning permission in principle consent, and the site area of the residential development is also less than the maximum allowable site area of 10 hectares for the residential element. The proposal is therefore compatible with the planning permission in principle consent for Policies 16, P2 and E3 referenced above. Additionally, parts of the site constitute previously developed land, having accommodated previous housing. As such, redevelopment of these areas is also generally supported by **Policy 9 (Brownfield Sites)** of NPF4.

The applicant has also provided a supporting statement in relation to affordable housing which has been assessed by the Chief Executive's Service (Development Plans & Housing Strategy section) as delivering a sufficient range and choice of housing types in accordance with Policy P3 of the Adopted LDP. In this regard, it is commented that these range from smaller starter units through to larger family homes and also address a recognised need to alter the housing tenure and bring more families into the wider area. It is also noted that the house price range would allow for low-cost housing without subsidy which is compliant with Policy P3, while there is considered to be sufficient social rented homes in the surrounding area such that new build private, low cost home ownership would be supported. The development is therefore considered to accord with Policy 16 of NPF4 and Policy P3 of the LDP in delivering an acceptable range and choice of housing to the area.

Notwithstanding the above considerations, Children's Services have objected to the current application on the grounds that there is no educational capacity to accommodate the additional pupils that would be generated by the development. In this regard, it is advised that St Andrew's Academy and St Fergus Primary School which serve the area are both operating above the acceptable threshold of 85% capacity. The objection received from Children's Services notes that St Andrew's Academy is operating at 118% capacity while St Fergus

Primary School is operating at 97% capacity. Childrens Services have estimated that the proposed development would generate 9 pupils to the secondary school and 16 pupils to the primary school. To address the impact on school pupil numbers the applicant has been invited, in accordance with **Policy 18 (Infrastructure First)** of NPF4 and **Policy 18** of the LDP, to enter into a legal agreement under section 75 of the Town and Country (Scotland) Act 1997 for the purpose of securing a financial contribution towards education provision. In this respect, **Policy 18** of NPF4 states that development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure, while **Policy 18** of the LDP states that developer contributions will be sought to address infrastructure deficits and/or shortfalls in infrastructure capacity that arise as a direct result of new development. The applicant has confirmed that they are not prepared to enter into any such arrangement.

The applicant advises that the matter of education provision and any potential for developer contributions is a point of principle which required to be, and was, considered at planning permission in principle stage, and is not a matter of design detail which is covered in the conditions to be addressed under any subsequent application for approval of matters subject to condition. They also point out that the report of handling for the planning permission in principle consent had stated that there “is no issue with educational provision for the residential element of this application”, having noted that capacity for school pupils had been assessed at the time of the Adopted Renfrewshire Local Development Plan 2014 under which the site had been designated as a Housing Action Programme Site.

A legal opinion has also been submitted on behalf of the applicant which supports the applicant’s view that school capacity was considered at the time of the planning permission in principle application and that it was not a matter reserved by condition. As the planning permission in principle allows for up to 250 homes, the submission advises that the Council should therefore have factored this into their school roll forecasts and it should already be included within the existing school capacities.

While the applicant’s position is acknowledged, the objection raised by Children’s Services is a material consideration. In addition, it is also of significance to note that legal advice offered to the Planning Authority in respect of similar cases to that subject to this report notes that it is reasonable for the provision of education to be considered in respect of an application for the approval of matters specified in conditions. In this context, it is not considered reasonable to grant a residential development of this size given current educational capacity issues and the objection of Children’s Services without this matter being addressed by the applicant.

In terms of the other aspects of this application, the individual matters outlined in Condition 2 are considered in turn below:

- (a) the siting, design and external appearance (including details of materials to be used) of all buildings and other structures within the site

Policy 14 (Design, Quality and Place) of NPF4, **Policy P1** of the LDP and the Renfrewshire New Development Supplementary Guidance and Residential Design Guide seek to promote well designed developments that makes successful places. The dwellinghouses in this case would be of an appropriate mixture of house types and designs which would be suitably spaced, oriented and designed to offer streets which would be suitably visually attractive. The properties would in this regard feature a mixture of finishing materials, with two different colour schemes proposed which would complement each other and add visual interest to the development. The general layout and the design and finishings of the properties, together with the proposed landscaping and greenspaces, would lend the development an identity and visual quality.

Since the original planning permission in principle consent, today's adopted LDP has introduced a requirement under **Policy 17** that new housing, in meeting building standard energy requirements, must install technology that produces low or no amounts of carbon dioxide emissions, to reduce predicted emissions by at least 15% below 2007 building standards. This also supports one of the key objectives of NPF4 and particularly **Policy 1 (Tackling the Climate and Nature Crises)** and **Policy 2 (Climate Mitigation and Adaptation)**. In the event that planning permission should be granted, it is considered that the final specifications of these technologies could be subject to condition.

- (b) the details of; and timetable for, the hard, soft and water landscaping of the site

Landscaping plans have been submitted which indicate the planting of some 153 trees including native species such as alder and silver birch and a range of cultivated species including fastigate birch and fastigate hornbeam, with a range of shrubs, hedgerows and areas of green space also lending appropriate setting and visual amenity to the wider development. A suitable variety of hard surface is also proposed, with tarmac and different colours of block paving providing for a hierarchy of roads within the development, plus whin dust footpaths within the areas of green space. A SuDS detention basin is also proposed at the south-west of the site for the treatment of surface water from the development.

Glasgow Airport Safeguarding raised a holding objection in order to clarify aspects of the proposed detention basin and also the high proportion of hawthorn in the scheme of landscaping due to concerns that these could attract flocking birds which could in turn affect the passage of aircraft. While these aspects have not been addressed, it is considered that in the event of the application being approved, they could be mitigated by an appropriate planning condition.

(c) the design and location of all boundary walls and fences, including along the boundary with Network Rail's land

The proposed boundary treatments throughout the development are considered appropriate. These include a mixture of 1.8m high timber fencing and lower 0.75m high post and rail fencing along the side and rear boundaries of the plots, while the applicant has also agreed to add a more durable boundary treatment around some of the more prominent plots, with fencing panels separated by stone piers featuring facing bricks. These specifications are considered acceptable. Network Rail have also confirmed their acceptance of the proposals.

(d) the provision of drainage works

These details have been submitted in conjunction with a Drainage Impact Assessment required by Condition 4. It is considered that the level of detail is sufficient in demonstrating that the drainage from the development would be appropriately addressed. This matter is also considered in further detail below under Condition 4.

(e) the disposal of sewage

These details have also been submitted in conjunction with the Drainage Impact Assessment required by Condition 4 and are considered acceptable. The information demonstrates that foul drainage would be collected from each individual property via piping which would then connect to the existing combined sewer to the south of the site. Scottish Water have confirmed no objection to the development.

(f) the submission of a detailed survey showing the location and nature of all trees and hedges within the site

An arboricultural assessment by professional arborists has been submitted which finds that much of the derelict site to the east has become naturalised by woodland containing trees of a diameter of up to 35cm. Trees mostly comprise goat willow, with silver birch and hawthorn also present. Further west is more scrubby, younger woodland with goat willow dominant, while three standalone trees have also been surveyed and

classified as of low quality. No TPOs or other statutory designations are in place.

While some notable areas of treecover would be cleared to accommodate the development, no individual trees or woodland of outstanding quality have been identified, while new planting has been identified within the scheme of landscaping. Given the limited quality of the treecover on site and the landscaping proposed, the development is considered to comply acceptably with **Policy 6 (Forestry, Woodland and Trees) of NPF4** and **Policy ENV2** of the LDP.

(g) access and parking arrangements, including the provision of any new roads and junctions

The Chief Executive's Service (Roads Development) has objected to the proposal's lack of connectivity and in particular to West March Road which is shown on the indicative masterplan approved with the planning permission in principle application. The applicant has advised that this access has been omitted as no condition on the planning permission in principle application was imposed to provide this connection.

The applicant was encouraged to consider a further access into the site at the north end to allow greater permeability through the development and to remove reliance on the development's only access from Ferguslie Park Avenue to the south. It is considered that such a measure would enable the development to integrate better with the surrounding area and accord in this respect with the Scottish Government's **Designing Streets** Policy which encourages developments with multiple accesses rather than cul-de-sacs. The principle of this approach is also considered to accord with Policy 14 (Design, Quality and Place) of NPF4 and Policy P1 and Policy I1 of the LDP.

While discussions with the applicant indicated an initial willingness from them to accommodate such an access, they have not submitted any follow-up proposal or pursued any further discussions on this matter. It is considered that this issue could be addressed relatively easily with an additional access point into the development added from the north. In view of the objection from Roads Development and lack of any alternative scheme submitted to enable connectivity from the north, it is not considered that the current access arrangement can be supported.

Within the development itself, suitable pedestrian routes are proposed, including footways, shared surfaces and additional footpaths across areas of open space including the central amenity area. These provisions are considered to generally

accord with Policy 13 (Sustainable Transport) of NPF4 and Policy 11 of the LDP. The applicant has also been encouraged to form additional pedestrian/cycle connections to link the development to the south but advise that they are unable to entertain such connections due to a lack of control over the land to the south and the extent of disturbance that would be required to the former railway embankment. However, footways would be provided alongside the one access road into the site which would in turn connect with the existing footway on Ferguslie Park Avenue which is also a designated core path.

(h) the layout of the site

As noted above, the applicant has elected not to add any additional vehicular access into the development. The layout would otherwise be characterised by a series of interconnecting streets with areas of green space, including a play area at the north of the site. Plot sizes and gardens would vary in size and would in some cases be relatively small but would still allow for an acceptable depth of at least 9 metres as well as private open space to plot ratios which would generally be commensurate with the recommendations outlined in the Renfrewshire Council Residential Design Guidance. Properties would also be appropriately positioned in relation to each to result in minimal overlooking or overshadowing.

The development would be physically isolated from other residential areas, with the bund along its southern edge and a strip of further open space separating it from Ferguslie Park Avenue to the south. However, the adjoining area to the south of the bund is noted to be Council-owned and therefore offers opportunity for future integration with the wider Ferguslie Park area which is currently subject to various ongoing regeneration activity. A local place plan has also been established by the local community which identifies the application site area as derelict/vacant land appropriate for development, with the bund also identified as having the potential to contribute to a multifunctional “green high line” serving the wider area. As such, it is considered that the development could potentially benefit from future plans to improve integration within the wider area and local services and contribute to local living and the ‘Place Principle’ promoted by **Policy 15** of NPF4.

(i) a Site Investigation report (characterising the nature and extent of any soil, water and gas contamination within the site); and, if remedial works are recommended therein

A Site Investigation report by consultants on behalf of the applicant has been submitted and reviewed as acceptable by

contaminated land specialists within the Council's Communities & Housing Services (Environmental Protection Team) following clarification on certain technical aspects. The report identifies a number of sources of contamination which will require remediation works prior to development commencing.

- (j) a Remediation Strategy and Implementation Plan identifying the proposed methods for implementing all remedial recommendations contained with the site investigation report prepared in accordance with current authoritative technical guidance, has been provided by the Planning Authority;

A Remediation Strategy and Implementation Plan by the same consultants has also been submitted. This sets out proposed measures for addressing the issues of contamination identified in the Site Investigation report. As with the Site Investigation report, the Remediation Strategy and Implementation Plan has been reviewed by Communities & Housing Services (Environmental Protection Team) and confirmed by them as acceptable following clarification on certain technical aspects. The document includes measures for addressing Polycyclic Aromatic Hydrocarbons (PAHs) and Asbestos Containing Materials (ACMs) identified through the Site Investigation.

The applicant has therefore demonstrated that site contamination can be appropriately addressed, in accordance with **Policy 9** of NPF4 and the New Development Supplementary Guidance.

- (k) a report which satisfies the Planning Authority that the Local Air Quality Management Objectives for the pollutants specified in the relevant Air Quality Regulations, made under Part IV of the Environment Act 1995, shall not be exceeded at any location at or in the vicinity of the development where 'relevant exposure' is liable to occur. In addition, the overall significance of the air quality impacts from the development shall be assessed and clearly defined within the report with mitigation proposed where required. The survey and report shall adhere to the methods and principles set out in the Scottish Government publication 'Local Air Quality Management Technical Guidance LAQM.TG(16)' and the EPUK guidance document 'Land-Use Planning & Development Control: Planning for Air Quality (January 2017)' or a method that has been agreed with the Planning Authority.

The applicant has submitted an Air Quality Assessment by consultants, the findings of which have been confirmed as acceptable by the Communities & Housing Services (Environmental Protection Team). The assessment outlines

the results of a model to investigate both whether there is potential for traffic from the development to impact on the air quality of existing residents in the nearby area and whether the air quality in the vicinity is suitable for new residents associated with the proposed development. On both fronts, the model finds there to be no significant issues and concludes that the development does not raise any material concerns with regard to air quality. As such, the development is found to accord with **Policy 24 (Health and Safety)** of NPF4 as regards air quality and **Policy ENV 5** of the LDP.

Turning to Condition 4, this required the submission and approval of a Drainage Impact Assessment (DIA). The submitted DIA outlines that foul drainage would be routed to the existing combined sewer to the south of the site, while surface water would be collected and routed to a detention basin to the south-west of the site where it would be treated and directed further west to the Candren Burn.

The DIA has been peer reviewed and subject to amendments to clarify certain aspects of its findings the updated DIA is found to be acceptable. It is therefore considered that drainage from the development can be successfully accommodated in accordance with **Policy 22** of NPF4 and **Policy I3** of the LDP.

Condition 6 refers to the submission and approval of a Noise Impact Assessment (NIA). In this respect, the applicant has submitted a report outlining the findings of a noise and vibration survey which considers the impact of existing external noise on the proposed houses from road and railway traffic in the area, as well as from noise associated with aircraft from the nearby airport. Measurements are also included with respect to vibration from the adjacent railway to the north-east. The report also considers the likely impact on the housing of the other non-residential elements allowed under the planning permission in principle approval for the wider site including the hotel, restaurant/public house, industrial, storage & distribution and long stay car park uses.

Communities & Housing Services (Environmental Protection Team) have considered the findings of the report and confirmed no objection subject to conditions to ensure particular glazing standards to mitigate noise impact within the properties. However, they have advised that it is not possible to recommend any conditions or mitigation to address the impact of aircraft noise on external areas such as gardens.

Glasgow Airport have noted with reference to their most up to date 'Actual' noise contours based on 2017 data that the residential development is located within an area where aircraft noise levels are in excess of 57dB LAeq. While they do not formally object to the development, they point out that the New Development Supplementary Guidance on Noise states that "residential

	<p>development should avoid areas where aircraft noise levels are in excess of 57dB LAeq” and that “applications for residential development will be refused unless a noise assessment and noise-insulation measures can demonstrate that an appropriate level of residential amenity could be achieved”.</p> <p>At the time that planning permission in principle was granted, the previous 2011 noise contours provided the most up to date official noise data. Under the 2011 noise contours, the development was entirely outwith the 57dB noise contour and was therefore compliant with the guidance. In the period since planning permission in principle was granted, the 2017 noise contours have been adopted as the most up to date “actual” noise data and the development is no longer situated outwith the 57dB threshold given the shift in the noise contours. However, as neither Glasgow Airport nor the Communities & Housing Services (Environmental Protection Team) have objected to the development on noise grounds, and the latter have accepted the mitigation measures proposed, the submitted Noise Impact Assessment is considered to sufficiently satisfy the requirement of Condition 6 of the planning permission in principle consent.</p> <p>In summary, whilst it is considered that the development can contribute to the wider area in addressing varied housing needs in the Ferguslie Park area, given the lack of school capacity and objection from Children’s Services and that the applicant has elected not to address this matter, it is not considered reasonable to support the development at this current time. Furthermore, as the Chief Executive’s Service (Roads Development) has objected and the applicant has elected not to include any alternative access into the site from the north, the site layout in relying on a single access from the south is not considered to comply with prevailing policy in terms of connectivity and integration of the development into the surrounding area. It is therefore recommended that consent is refused.</p>
RECOMMENDATION	Refuse

Reason for Decision

1. That the proposed development will result in an unacceptable impact on educational infrastructure due to the current capacity of St Andrew’s Academy and St Fergus Primary School both exceeding 85% capacity. The proposed development is therefore considered to be contrary to Policy 18 of the Fourth National Planning Framework and Policy 18 of the Renfrewshire Local Development Plan as no mitigation has been provided for this impact.
2. That the development does not provide suitable integration and connectivity with the surrounding area given its reliance on a single access point from Ferguslie Park Avenue to the south and is therefore considered contrary to Policy 14 of the Fourth National

Planning Framework and Policy P1 and Policy I1 of the Renfrewshire Local Development Plan.

Local Government (Access to Information) Act 1985 - Background Papers
For further information or to inspect any letters of objection and other background papers, please contact Andrew MacKenzie on 0141 487 1375