

RENFREWSHIRE COUNCIL

Application No: 16/0139/PP

DEVELOPMENT AND HOUSING SERVICES

Regd: 08/03/2016

PLANNING APPLICATION PRE-DETERMINATION HEARING

Applicant

Miller Developments Ltd
Miller House
2 Lochside view
Edinburgh Park
Edinburgh
EH12 9DH

Nature of proposals:

Erection of residential development with associated remediation/enabling works and formation of vehicular access

Site:

144 Hawkhead Road, Paisley, PA2 7BG

Application for:

Planning Permission in Principle

Introduction

This application is the subject of a Pre-Determination Hearing in line with the requirements set out in Section 38A of the Planning etc. (Scotland) Act 2006 and the related Development Management Regulations.

Section 38A requires that the applicants for, and any party making representations on, proposals for developments falling within the category of 'major' and which are considered to be significantly contrary to the development plan, are to be given the opportunity for appearing at a pre-determination hearing. The purpose of the hearing is to gather information and Members are reminded that they should not express a view either in favour of, or against the proposals as this may preclude them from participating in making a decision on the application when it comes before the meeting of the Council for formal determination.

Renfrewshire Council's Pre-determination Hearing Procedures are appended to this report for Member guidance (refer to Appendix 1).

The following information is provided to brief Members on the content of the proposed development.

Description

Planning permission is sought, in principle, for the erection of a residential development (up to 580 units), with associated remediation and enabling works, including the formation of an internal road layout and accesses, SUDS ponds and landscaping at the former BASF chemical works site on Hawkhead Road, Paisley. The proposal would involve the redevelopment of the former industrial site, (following its closure in 2015) for residential purposes. The application site extends to approximately 23 hectares in total. The site is presently being cleared of the redundant industrial buildings. Existing residential areas surround the site to the north, north west and south. To the north east, lies the Scott's Road industrial area. To the east lies Hawkhead Cemetery and to the immediate west a Site of Importance for Nature Conservation (SINC); with Hawkhead Railway Station to the immediate north.

Since cessation of the industrial operation at this site, the landowner has commenced demolition work on the buildings associated with the former use. As such, the site is now largely cleared with a limited degree of planting remaining along the site boundaries.

The current proposal would see the formation of three new access junctions onto Hawkhead Road, where possible utilising those already in place to serve the factory use. In addition, SUDS ponds are proposed along the boundary with the SINC, which is to be interspersed with planting. Existing mature planting shall be retained adjacent to the railway line and along the north eastern boundary with additional planting proposed to the south and north west of the site. Three play areas are also proposed, two within the landscape buffer to the west (one north west and one south west) and one centrally within the overall residential development. It is estimated that the site could be capable of accommodating in the region of 500 units but this would be entirely dependent on satisfactory layouts being demonstrated.

History

15/0797/NO – Proposal of Application Notice for the erection of a residential development with associated remediation/enabling works and access. Accepted, November 2015.

15/0090/HZ - Revocation of Hazardous Substances Consent 12/0509/HZ. Granted subject to conditions, September 2015.

12/0587/HZ- Revocation of hazardous substances consents 01/0007/HZ, 02/0902/HZ and 06/0355/HZ. Granted, September 2013.

12/0509/HZ - Storage of 40 Tonnes (T) (max) 2:5 dichloroaniline; 10T (max) 1-phenyl 3-methyl 5-pyrazolone; 45T (max) sodium nitrite solution 40%; 60T (max) 2,4,5 trichloroaniline; 25T (max) strontium nitrite; 5T (max) neodol 45-7E; 100T (max) 3,3 dichlorobenzidine di-hydrochloride; 10T (max) arquad HC; 50T (max) ortho-anisidine; 10T(max) sodium hydrosulphite and 5T (max) ammonia. Granted subject to conditions September 2013

06/0355/HZ - Installation of storage facility for diesel oil. Granted November 2006.

02/0902/HZ - Storage of 2.5 Dichloroaniline (5 tonnes). Granted November 2002.

01/0007/HZ - Claim for deemed hazardous substances consent in respect of the manufacturing, drying, grinding and dispersion of Classical organic Azo and Phthalocyanine pigments. Granted deemed consent January 2001.

Policy & Material Considerations

Glasgow and the Clyde Valley Strategic Development Plan 2012

Strategy Support Measure 10: Housing Development and Local Flexibility

Diagram 4: Sustainable location assessment

Adopted Renfrewshire Local Plan Development Plan 2014

Policy E1: Renfrewshire's Economic Investment Locations

Policy P1: Renfrewshire's Places

Policy P2: Housing Land Supply

Policy I1: Connecting Places

Policy I5: Flooding and Drainage

Policy ENV2: Natural Heritage

New Development Supplementary Guidance

Delivering the Economic Strategy

Delivering the Infrastructure Strategy: Infrastructure Development Criteria; Connecting Places and; Flooding and Drainage

Delivering the Places Strategy: Places Development Criteria

Delivering the Environment Strategy: Natural Heritage; Local Designations - Local Nature Reserves; Noise; Contaminated Land; Air Quality and; Pipelines and Controls of Major Accident Hazards

Material considerations

Scottish Government Planning Policy (SPP)

Renfrewshire Councils Housing Land Supply Supplementary Guidance

Renfrewshire Council's Residential Design Guide

Planning legislation requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. In this case the proposals shall require to be considered against the policies and guidance set out above, the comments of the consultees, any objections received, the approved use of the site and the potential benefits of developing this vacant brownfield site and any other relevant material considerations.

Publicity

Neighbour notification has been carried out in accordance with statute. The application was also advertised in the Paisley Daily Express on 16 March 2016, with a deadline for representations to be received of 31 March 2016. Following submission of a masterplan layout for the site, the application was re-notified on 26 July 2016, with a deadline for further representations to be received of 18 August 2016.

Objections/Representations -

Two letters of objection have been received, the substance of which can be summarised as follows:-

1. Concerned at the noise levels from building works and unwanted new neighbours.
2. The development could lead to crime and litter levels increasing.
3. Development could bring vermin and disturb other animals.
4. Overlooking of existing properties could be an issue and planting should be re-instated. Details of units proposed should also be provided.
5. The proposals would exacerbate traffic congestion.

Consultations

Director of Community Resources - Through an Approval of Matters Specified in Conditions (AMSC) application the applicant shall be required to submit a site investigation report, verification strategy/method statement and a verification report. Additional information in accordance with the applicant's noise assessment shall also require to be submitted through an AMSC application.

Director of Community Resources (Design Services) - No objections, providing all recommendations contained within the applicant's Flood Risk Assessment and Drainage Strategy are safeguarded through the imposition of appropriate conditions.

Director of Community Resources (Roads) - Still under consideration.

Network Rail - No objection in principle. Should the Council grant this application, additional servitude rights of access/bridge agreements will have to be secured from Network Rail for the creation of any proposed pedestrian link through the under-bridge area. All surface water or foul arising from the development must be collected and diverted away from Network Rail Property and suitable barriers must be put in place by the applicant to prevent unauthorised and unsafe access to the railway. In addition where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site.

Glasgow Airport Safeguarding - No objections, subject to conditions relating to landscaping and layout of development.

West of Scotland Archaeology Service - No objections.

The Coal Authority - No objections.

Scottish Natural Heritage - No comments offered.

The Health and Safety Executive - As confirmation of the Revocation of Consent for the BASF site has been obtained, and the fact that there are no other Sites/Pipelines located within the vicinity, HSE do not advise against the proposed development.

SEPA - No objections, subject to a condition requiring that SUDS basin 1 is constructed entirely outwith the floodplain; or if sited within the floodplain the required volume of compensatory storage is to be provided to offset the loss of floodplain storage.

Director of Education - Still under consideration.

Historic Environment Scotland - No objections.

Summary of Main Issues

Environmental Statement - The application proposal was screened under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011, to determine the requirement for an Environmental Statement to be submitted with any future planning application. It was concluded that although the proposal falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011, it is not considered likely that the proposed works would have a significant environmental impact which would require an Environmental Assessment to be carried out. It was concluded that no significant long-term impacts on the environment were anticipated having regard to the characteristics of the development, the location of the development and the characteristics of the potential impact.

Proposal of Application Consultation Report - The applicant submitted a proposal of application notice (15/0797/NO) to the Council on 23 October 2015. This required a Pre-application Consultation (PAC) process prior to the submission of a planning application. The PAC report provides an overview of all pre-application consultations which have been undertaken, including details of a pre-application consultation event held on 10 November 2015 and individual presentations to the local and surrounding community councils between September 2015 and January 2016. The main public consultation event was held at the Accord Hospice, with the local Community Council and local Members invited and the event open to all interested parties. The summary states that attendees were generally supportive of the development, although key areas of concern related to vehicle movement during any construction phase, potential issues with the existing road network, particularly at peak times and education capacity within surrounding schools.

Planning Policy Statement - In support of the current application, the applicant's agent has provided a Planning Policy Statement which details the site history and surrounding land uses in the context of the current proposal. The statement identifies the relevant policy and material considerations to be taken into account in the assessment of the proposal and asserts that delivery of the development would see the re-use of a significant brownfield site, which would assist in the delivery of Renfrewshire Council's housing land supply shortfall; whilst recognising that the proposal does not accord with the land use designation identified within the Adopted Renfrewshire Local Development Plan.

Air Quality Impact Assessment - The Air Quality Impact Assessment provided by the applicant considers the potential air quality impacts associated with the proposed re-development of the application site for residential use and concludes that any impact resulting would be classified as negligible at all receptor locations. For surrounding local circumstances, air quality impact is considered to be 'not significant', assuming proposed mitigation measures are implemented during the construction phases of development.

Flood Risk Assessment - The applicant's Flood Risk Assessment considers risk from the White Cart Water to the west of the site, surface water run-off from adjacent land, existing drainage systems, proposed site drainage systems, groundwater and the site access and concludes that a degree of land raising within the floodplain would be required for the development with compensatory flood storage also proposed in accordance with SEPA's requirements.

Design & Access Statement - The applicants Design and Access Statement provides a brief history to the site and its location. The document also considers the proposals against the relevant planning policies and guidance with regard to local amenities and access arrangements/provision. In terms of design, the applicant has considered built form in conjunction with environmental integration and enhancement.

Construction Method Statement and Surface and Ground Water Protection Plan - These documents consider the scope of works contained within the redevelopment of the former BASF site, namely site clearance works, demolition works, drainage and SUDS works, and earthworks and remediation, how they are to be managed, progressed and reported.

Transport Assessment - A Transport Assessment has been provided by the applicant which examines the existing, surrounding road networks and available methods of public transport, with impact from the proposed development on this network analysed. In order to accommodate the proposed development the applicant identifies that mitigation proposals would require to be put in place at the A726/Hawkhead Road roundabout, including the provision of new signalling and lining; and at the traffic signals at the Glasgow Road/Hawkhead Road/Arkleston Road junction with the installation of new signal equipment. The introduction of signalisation at Hawkhead Road/Seedhill Road mini roundabout is also considered. The assessment is supported by a Travel Plan Framework for residents advising them of surrounding sustainable modes of transport.

Noise and Vibration Impact Assessment - The Noise and Vibration Impact Assessment provided by the applicant primarily considers the impact of road traffic from Hawkhead Road affecting the site and vibration from the railway line to the north of the site. However, it also considers the impact from commercial premises to the east of the site on Hawkhead Road. In summary, the report concludes that in order to meet the relevant target criteria for residential developments, mitigation measures will be required, including the use of enhanced glazing panels and acoustic fencing.

Drainage Strategy Plan - The applicant's Drainage Strategy Plan, through investigation, concludes that the current development proposals can be drained in accordance with the recommendations of current planning guidance in conjunction with key stakeholder design criteria.

Education Impact Report - In response to discussions with the Council's Education Department, the applicant has submitted an Education Impact Report pertaining to denominational educational capacity. The document bases calculations relating to capacity on a reduced number of dwelling units and seeks recalculations on this basis. The potential for provision within both St Charles' Primary and St Catherine's Primary (both denominational) also requires to be considered.

Archaeological Data Structure Report - Following initial comments from West of Scotland Archaeology Service, the applicant has submitted an Archaeological Data Structure Report. The report provides a summary of the results of an archaeological walkover of the site and a history of the site and concludes that no visible archaeological remains were observed. Due to ongoing demolition works across the site any visible archaeological remains were severely compromised, however the line of the former canal will be preserved by the concrete wall forming the boundary of the proposed development site in the north western corner, and by the site boundary along the northern extent.

Geotechnical Report – This sets out the results of various investigations into ground conditions, quantitative risk assessments, in situ soils and ground gassing characteristics, and ground and surface water and contamination status. A remediation strategy is also provided to demonstrate the site's suitability for low rise residential redevelopment.

Planning Obligation Summary - To be considered, negotiated and agreed as necessary.

Scottish Ministers Direction - N/A

Conclusion.

Members are advised that when the application comes before the Council for determination, a detailed assessment of the proposals will be provided. This assessment will test the proposals against both relevant Development Plan policies and also their suitability in terms of traffic and any other material planning considerations. A recommendation will be made on the basis of this detailed assessment as to whether planning permission should be granted or refused.

Fraser Carlin
Head of Planning and Housing

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 David Bryce on extension 7892.

Pre - determination Hearing Procedures

1. Pre-determination hearings will be held when the application is of a national category or a major category where the proposal involves a planning application for development which is substantially contrary to the provisions of the Development Plan. The test which will apply would be whether an approval would be contrary to the vision or wider spatial strategy of the plan.
2. Any hearing would only be held once the period for neighbour notification or advertisement in the local press had expired.
3. The hearing will be open to the press and public but only those persons invited to make representations at the hearing will be allowed to participate.
4. The parties to be invited to participate in the hearing will be the applicant and agent acting on their behalf and any person who has submitted representations on the application.
5. The date, which shall allow for at least 14 days notice to be given to participants, and venue for the hearing shall be agreed with the Convener of the Planning and Property Policy Board.
6. Thereafter, members of the Board will be advised of the date and venue and formal invitations will be issued to the applicant/agent and any person who has submitted representations.
7. All parties wishing to be heard at the hearing will be asked to advise the Council of their intention to participate by 12 noon of the last working day before the hearing. Parties must advise the name(s) of those who intend to speak.
8. On the day the order of proceedings will be as follows:
 - i) the applicant, or an agent acting on their behalf, will be asked by the Convener to describe the proposal – with a limit of 15 minutes, although this could be extended to 30 minutes in cases of complexity at the discretion of the Board.
 - ii) thereafter, individual objectors will be invited to comment. Each will be restricted to no more than 15 minutes but where there are several objectors making the same points they will be encouraged to appoint a representative to speak on their behalf. Again in cases of complexity this could be extended to 30 minutes at the discretion of the Board.
 - iii) the applicant/agent will have the right to reply to any points raised by any party to the hearing.
 - iv) the members of the Board will be invited by the Convener to question any party to the hearing to seek clarification regarding any matter raised.
 - v) the members of the Board will be able to seek guidance on factual matters relating to the proposal or hearing procedure from Council officers at any time during the hearing.
 - vi) no cross examination of any of the parties by other parties will be allowed.
 - vii) the Convener will be responsible for ensuring that the hearing is carried out efficiently while having due regard to the principles of natural justice.
 - viii) no decision on the application will be taken at the hearing.
 - ix) details of the matters raised at the hearing will be incorporated within the Report of Handling on the planning application which will be put before the meeting of the Council for consideration.

