

RENFREWSHIRE COUNCIL

Application No: 16/0806/PP

DEVELOPMENT AND HOUSING SERVICES

Regd: 06/12/2016

PLANNING APPLICATION PRE-DETERMINATION HEARING

Applicant

Leith Planning Ventures Limited
10 Coniston Road
Blackpool
Lancashire
FY4 2BY

Nature of proposals:

Erection of residential development (in principle).

Site:

Site on Northern boundary of Beech Burn, Johnshill, Lochwinnoch

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

This application seeks planning permission in principle for the erection of a residential development on an area of open grassland to the east of Johnshill, Lochwinnoch. The site extends to approximately 7.5 hectares in area, and is bound by residential properties to the west with Lochwinnoch beyond, open countryside to the south with Castle Semple and Barr Lochs Sites of Special Scientific Interest (SSSI) beyond, and open countryside to the north and east with Park Hill Woods Site of Interest for Nature Conservation (SINC) beyond. The site slopes downhill from the western boundary towards Castle Semple.

As the application is in principle only, no details of the proposed residential layout have been provided. However within the supporting information, the applicant has advised that the site could accommodate 100 units, with the primary vehicle access taken from Johnshill.

History

16/0548/EO - Request for screening opinion as to the requirement for an Environmental Impact Assessment for a residential development. Environmental Assessment not Required 26/08/2016.

16/0529/NO - Proposal of Application Notice relating to the erection of a residential development. Accepted 16/08/2016.

91/0186/PP - Residential development (in outline). Refused 25/06/1991. Appeal dismissed 10/07/1992.

90/0499/PP - Residential development (in outline). Refused 05/09/1990.

Policy & Material Considerations

Scottish Planning Policy

Scottish Planning Policy highlights the primacy of the Development Plan. The extant Development Plan is the Glasgow and the Clyde Valley Strategic Development Plan 2012, Clydeplan's Strategic Development Plan Proposed Plan (2016) and the Adopted Renfrewshire Local Development Plan 2014 as detailed below with relevant policies identified.

Glasgow and the Clyde Valley Strategic Development Plan 2012

Strategy Support Measure 1: Delivering the Spatial Development Priorities
 Strategy Support Measure 8: Green Infrastructure: An Economic Necessity
 Strategy Support Measure 10: Housing Development and Local Flexibility
 Diagram 3: Spatial Development Strategy and Indicative Compatible Development
 Diagram 4: Sustainable location assessment

Clydeplan's - Strategic Development Plan Proposed Plan (2016)

The Proposed SDP is a material consideration as it is the settled view of the Clydeplan Authority of which Renfrewshire Council is a constituent part.

Policy 1: Placemaking
 Policy 7: Joint Action Towards the Delivery of New Homes
 Policy 8: Housing Land Requirement
 Policy 14: Green Belt
 Policy 16: Managing Flood Risk and Drainage
 Policy 18: Strategic Walking and Cycling Network
 Table 1: Placemaking Principles
 Schedule 14: Strategic Scales of Development
 Diagram 11: Assessment of Development Proposals

Adopted Renfrewshire Local Development Plan 2014

Policy ENV1: Green Belt
 Policy P2: Housing Land Supply
 Policy I1: Connecting Places
 Policy I5: Flooding and Drainage

New Development Supplementary Guidance

Green Belt
 Housing in the Green Belt
 Places Development Criteria
 Connecting Places
 Flooding and Drainage

Material considerations

Renfrewshire's Housing Land Supply Supplementary Guidance 2015 requires to be considered in addressing the Council's shortfall in housing land supply. The replacement Renfrewshire Local Development Plan will set out a framework for new and appropriate housing sites for meeting housing need and demand in Renfrewshire.

Planning legislation requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. In this case the proposal requires to be considered against the policies and guidance set out above, the supporting information submitted, the comments of the consultees, any objections received and any other material considerations.

Publicity

The application was advertised in the Paisley and Renfrewshire Gazette on 14 September 2016, with a deadline for representations to be received of 20th February 2017.

Objections/Representations

One thousand, three hundred and thirty-eight letters of representation have been received, at the time of writing, all of which object to the proposed development. The points of objection can be summarised as follows:

- (1) The proposal is contrary to the Local Development Plan green belt policy;
- (2) The proposal will have a detrimental visual impact;
- (3) Traffic, access, congestion and road safety concerns;
- (4) There is insufficient capacity in the local primary school and medical centre;
- (5) There is insufficient infrastructure capacity in terms of sewage, drainage, electricity and water supply network;
- (6) Housing shortfall should not be used as justification;
- (7) Lochwinnoch has absorbed its fair share of new housing development in recent years, and does not need any more;
- (8) The local community are against the development;
- (9) The proposal will set an undesirable precedent for further development in the green belt;
- (10) The proposal would have a detrimental impact on wildlife, habitats and ecology within the site and nearby SSSI and SINCS;
- (11) The proposed development will make the village less attractive and deter tourism;
- (12) The proposal would have a detrimental impact on car parking at the train station and in the village centre which is already over capacity;
- (13) The proposal would create noise, disturbance, vibration and air pollution;
- (14) The proposal would result in a loss of privacy;
- (15) The proposal would have a detrimental impact on the character and setting of the village;
- (16) Priority should be given to developing brownfield sites instead of further greenfield sites;
- (17) The proposal would result in light pollution;
- (18) The proposal would have a detrimental impact on water quality and pollution risk at Castle Semple;
- (19) The Pre-application Consultation Report does not provide an accurate representation of the consultation event;
- (20) The proposal would have a detrimental impact on views, including into and through the Clyde Muirshiel Regional Park;
- (21) The site is at risk from flooding;
- (22) The proposal would have an adverse impact on setting of built heritage assets including buried archaeology;
- (23) The proposal would have a detrimental impact on the nearby 'Semple Trail';
- (24) There would be a loss of open space which is of high amenity and recreational value;
- (25) Site is not served by sufficient public transport or pedestrian links;
- (26) The proposed houses are unlikely to be of the 'affordable' type, and would not meet the real housing needs within the locality;
- (27) A similar proposal for residential development on the site has previously been refused;
- (28) There are inaccuracies within the assessments carried out;
- (29) Those living in the development will be car dependant, and this will increase pollution;
- (30) The applicants have no experience of residential house building in Scotland, and have no interest in the local community or heritage;
- (31) The proposal would have a detrimental impact on property values;
- (32) The proposal is contrary to Scottish Planning Policy;
- (33) The proposal is not in keeping with character of surrounding properties;
- (34) The development of the site will not benefit the local economy.

Consultations

Director of Community Resources (Head of Roads - Design) - Flood Risk Assessment is acceptable. Drainage Impact Assessment requires to be finalised to a level of outline design to support the application

Director of Community Resources (Head of Roads - Traffic) - No objection subject to conditions regarding the internal layout, parking provision, and the formation of an additional minor access to Johnshill.

Director of Community Resources (Environmental Services) - No objection subject to conditions in respect of contaminated land.

West of Scotland Archaeology Service - Recommends that a condition should be attached which requires the developer to secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation.

West of Scotland Water - No response at time of writing.

Lochwinnoch Community Council - Object to the development on the following grounds:

- A previous proposal for residential development on the site was refused, with appeal subsequently dismissed. The previous reasons for refusal apply to this proposal;
- The proposal is contrary to policy ENV1, ENV2 and ENV3 within the Local Development Plan;
- The proposal is contrary to the Strategic Development Plan;
- The density of development on the site (circa 100 units) is not in keeping with the surrounding area;
- Traffic, access and congestion;
- Detrimental impact on visual amenity, landscape and the skyline;
- Detrimental impact on wildlife and protected species;
- The proposal would undermine Lochwinnoch's 'village' status;
- The development is speculative, and is of no benefit to the community;
- No mitigation has been offered;
- The proposal would be out of keeping with the character of Lochwinnoch;
- Approval would lead to further, cumulative, coarse encroachment into the green belt;
- Drainage infrastructure is not sufficient;
- Surface water drainage will exacerbate existing flooding issues;
- Insufficient public transport to serve the site, and existing train station car park is at capacity;
- The proposal will not integrate with its surroundings with respect to layout and built form;
- Infrastructure upgrades required to accommodate development are cost prohibitive.

The Community Council have also submitted a document in response to the Planning Statement prepared by the applicant. The response seeks to challenge the statements made in the Planning Statement with respect to housing land requirement, the public exhibition, impact on character of Lochwinnoch, public transport, traffic, pre-application engagement and the Development Plan.

Kilbarchan Community Council - Object to the development on the following grounds: encroachment on the green belt, detrimental effect on visual and landscape amenity, additional traffic generated by the development will pass through Kilbarchan to access the A737.

Summary of Main Issues:

Transport Assessment - Sets out the general transport planning policy context, before assessing site specific issues such as existing transport links, the development proposals, development trip generation and distribution, and assessment of the development impact. The applicant's assessment concludes that predicted traffic from the proposed development can be accommodated on the surrounding road network, and that the proposed development will integrate well with the existing transport network in a sustainable manner. The applicant's assessment recommends that there are no transport related issues preventing the award of planning permission.

Pre-application Consultation Report - Provides details of the public consultation activity undertaken, and the feedback received. A public exhibition was held on Wednesday 7th September 2016, with just over 400 people in attendance. The applicant's report states that feedback was generally positive, however concerns were raised over infrastructure, development of a green belt site, impact on wildlife, and affordable housing.

Preliminary Environmental Assessment Report - Outlines the regulatory context, historical land uses, the proposed development, environmental setting, a conceptual site model and recommendations for invasive investigation. The applicant's report concludes that contamination samples should be obtained in conjunction with a geotechnical investigation to confirm presence/absence of contamination. This should also include gas monitoring. However, the report notes that there is a very low risk potential for contamination to be present given historical and current land uses. The southern extremity of the site is noted as being at risk to surface flooding. The site lies outwith a Radon affected area, and is at low risk of being impacted by historical mineral extraction.

Drainage Strategy Plan and Flood Risk Assessment - Provides information on the existing site, the proposed development, the management of surface water and a flood risk assessment. The surface water strategy states that drainage from the site will incorporate full SUDS measures to control discharge, and that attenuation will be provided to limit the peak surface water discharge rate. It is anticipated that foul water will be discharged to the existing combined sewerage network in Johnshill. The Flood Risk Assessment confirms that the site is at low risk of flooding from fluvial, tidal, groundwater and pluvial sources.

Tree Survey and Constraints Report - Provides information on the tree population within the site, development constraints and opportunities, and statutory protection and guidance. Tree coverage across the site is low, with 22 individual trees, 8 groups of trees, 1 woodland compartment and 5

hedges recorded within influencing distance of the site. The applicant's report recommends that additional management of the trees may be required in response to a land use change on the site, and that an Arboricultural Impact Assessment will be required in support of a reserved matters application.

Landscape Appraisal - Provides a baseline review of designations, landscape and visual amenity before providing suggestions as to how the site could be developed to reduce the impact of the development on the landscape. Surrounding landscape designations include the Green Belt, Clyde Muirshiel Regional Park and Castle Semple Country Park, and the site is stated to fall within a 'Broad Valley Lowland' landscape character area. It is advised that the appraisal should be used to inform the subsequent layout of the site, and the applicant's suggestions for landscape mitigation include setting the development within a framework of open space, woodland and hedge planting.

Ecological Assessment - States that the site comprises a simple mix of habitat types dominated by semi-improved grassland with a significant area of marshy grassland and swamp habitat in the south of the site. It is recommended that as much of the marsh and swamp wetland habitat should be preserved, while hedgerows and trees should be retained where possible and supplemented by additional planting. Further recommendations are also made in respect of invasive species, and the safeguarding of protected species including badgers, bats, birds, otters, water voles and reptiles.

Planning Statement - Sets out the legislative context, pre-application engagement undertaken, the development plan policies and the Housing Land Supply Supplementary Guidance. The applicant's statement concludes that the proposed development is compliant with the provisions and principles of planning policy at national, strategic and local level, and the tests set out within the Housing Land Supply Supplementary Guidance.

Appropriate Assessment - N/A

Planning Obligation Summary - No discussions have taken place between Renfrewshire Council and the applicant with respect to any planning obligations. However the applicant has provided a draft Section 75 agreement which states that the applicant is willing to enter into an agreement with the

Council in respect of the following matters: 15% of the residential units to be constructed shall be Affordable Housing Units, an education contribution shall be made (the exact amount to be agreed in writing with the Council), and the establishment of a nature reserve.

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 the relevant Development Plan policies and also their suitability in terms of traffic and any other material planning considerations. A recommendation will be made at that stage 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.



Renfrewshire
Council

16/0806/PP

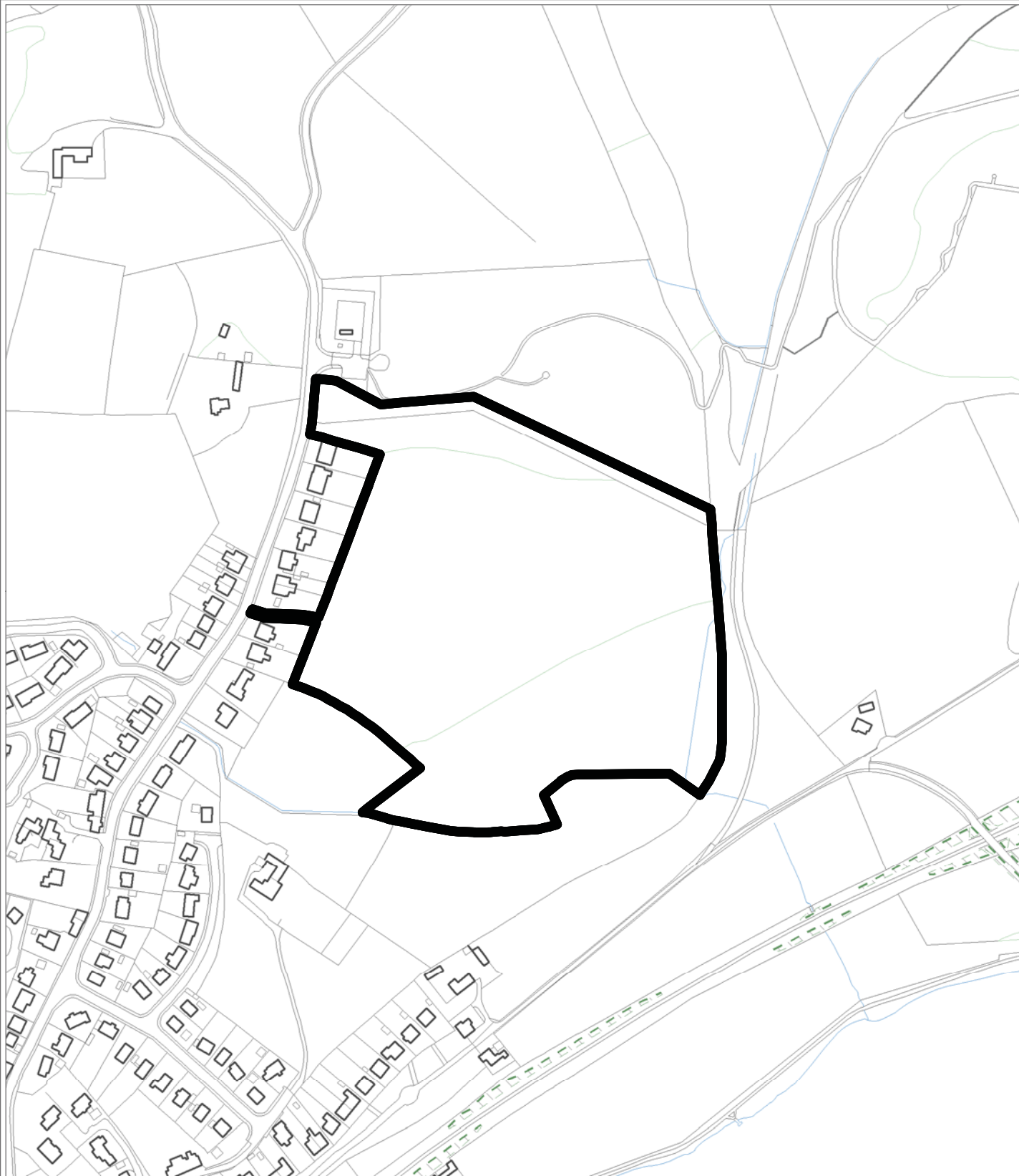
*Site on Northern boundary of Beech Burn,
Johnshill, Lochwinnoch*



1:4,000

User: ptcameronr1

Date: 07/02/2017



Notes:
Please enter notes here

Ordnance Survey Mapping - © Crown Copyright and database right 2017. All rights reserved. Ordnance Survey Licence number 100023417. Aerial Photography 2009 - Cities Revealed © copyright by The GeoInformation ® Group, 2009 and Crown Copyright © All rights reserved. Aerial Photography 2004/6 - © 2004 Getmapping plc © 2006 Getmapping plc Aerial Photography 2001 - Cities Revealed © copyright by The GeoInformation ® Group, 2009 and Crown Copyright © All rights reserved. Historic Map Data - © Crown Copyright and Landmark Information Group Limited 2012. All rights reserved.

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.