

RENFREWSHIRE COUNCIL

Application No: 16/0110/PP

DEVELOPMENT AND HOUSING SERVICES

Regd: 19/02/2016

PLANNING APPLICATION PRE-DETERMINATION HEARING

Applicant

Gladman Developments Ltd.
2 Eliburn Office Park
Eliburn
Livingston
EH54 6GR

Nature of proposals:

Erection of residential development including formation of vehicular access, open space, landscaping and associated engineering works (Planning Permission in Principle)

Site:

Site between Sandholes Farm and No 33, Sandholes Road, Brookfield

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 Councils 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 (in principle) is sought for residential development on an area of agricultural land located within the greenbelt to the west of Brookfield. The application site extends to approximately 8.2 hectares and is defined by a field boundary to the north, Sandholes Road to the east, a mature tree belt to the south and a ridge line and field boundary to the west. Just beyond the northern boundary lies the National Cycle Route 75 and beyond the southern boundary is the A761 Bridge of Weir Road. The applicant indicates that vehicular access to the site will be taken from Sandholes Road.

Although the application is in principle an indicative layout has been submitted illustrating a development of approximately 90 dwellings up to two storeys in height with a mix of 3, 4 and 5 bedroom houses. It proposes that public open space within the development will include a green spine through the centre which, it is claimed, will allow for the retention of an existing hedgerow. It is indicated that a children's play area will be located to the eastern side of the site in close proximity to the pedestrian access from Chuckie Lane and that a pedestrian access will be provided to Kilbarchan Cemetery. It is claimed that there will be mixed native woodland planting to the north and eastern

edges of the site supplemented by street trees within the site and that SUDS and swales will be located to the eastern side of the site to manage surface water runoff and control discharge into the brook running along Chuckie Lane.

History

15/0121/NO - Proposal of Application Notice for the erection of residential development.

15/0733/EO - Request for a screening opinion as to requirement for an Environmental Impact Assessment for a residential development. Environmental Assessment not required 16/11/2015

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 10: Housing Development and Local Flexibility
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.

Policy 7 - Joint Action Towards the Delivery of New Homes

Policy 8 - Housing Land Requirement

Adopted Renfrewshire Local Development Plan 2014

Policy ENV1: Green Belt

Policy P2: Housing Land Supply

Policy I5: Flooding and Drainage

New Development Supplementary Guidance

Delivering the Environment Strategy: Green Belt; Housing in the Green Belt; Contaminated Land and;
Delivering the Infrastructure Strategy: Flooding and Drainage and Infrastructure Development Criteria

Material considerations

Renfrewshire's Places Residential Design Guide is non-statutory guidance and sets out the objectives of sustainable placemaking, design considerations and the process through which high quality designs can be achieved. In addition, Renfrewshire's Housing Land Supply Supplementary Guidance 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 relevant material considerations.

Publicity

Neighbour notification has been undertaken in accordance with statute. The application was also advertised in the Paisley and Renfrewshire Gazette on 2nd March 2016, with a deadline for representations to be received by 16th March 2016.

Objections/Representations

There has been 121 letters of objection submitted including objections from Councillor Stuart Clark and Councillor Allan Noon. The issues raised can be summarised as follows.

1. The development proposed would be contrary to National green belt policy.

2. The development represents an unnecessary encroachment into green belt land, detrimental to the rural countryside character of Brookfield and its surrounding areas, will have an adverse impact on the quality and viability of the green belt and its environmental resource, reduce its openness and attractiveness and therefore be detrimental to amenity.
3. This site is not included in the Councils 20 year development plan. This is a green belt site and whilst it is appreciated that the government require to deliver a set number of homes over a 5 year rolling period this should remain green belt for the time being.
4. While there has been an identified need for additional land for housing within the Renfrewshire Local Authority area, the LDP clearly identifies potential sites to be considered. The site at Sandholes Road is not within the already identified land areas.
5. The first priority must be to identify suitable brownfield sites in the area closer to amenities of which there are many in and around Renfrewshire.
6. Brookfield village is facing the building of around 270 new houses at Merchiston over the next 5 years which would double the size of the village.
7. Development layout, design and siting will not respect nor incorporate important landscape features such as skylines.
8. Sandholes Road would not be able to cope with additional volume of traffic. It is already the main through road through the village and is extremely busy. It cannot be widened due to the bridge and to allow increased vehicles without improvements presents a clear danger to residents and road users.
9. Sandholes Road as the main point of access is not capable of providing a safe route both during and after construction. There are blind bends throughout the road used by farm traffic and heavy vehicles which at present causes major problems for residents of Sandholes Road.
10. Sandholes Road and surrounding infrastructure in Brookfield, Johnstone and the A737 does not support further housing provision in the immediate area as well as the development of 267 houses progressing on the Merchiston site.
11. In order to accommodate the consequential increase in road traffic Sandholes Road would require to be widened and upgraded however either end is constrained by residential buildings or the narrow railway bridge, which would make the widening of the road impossible.
12. At present the road is dangerous for children and adults trying to leave the NCR 75. The increase in traffic would substantially increase the risk to children and elderly persons trying to access this well used walkway.
13. There is a link to a limited bus service but there is no safe walking route to the bus stops as Sandholes Road does not have any pavements at the Bridge of Weir end.
14. The flow of traffic would be increased particularly on A761 and A737 and the current traffic assessment compiled for the development is inaccurate and does not take account of the new development at Merchiston.
15. There are concerns in relation to sewer capacity and the potential for flooding in this area. There may be a requirement for pumping equipment and swales which may require to be located adjacent to existing residential dwellings.
16. The area is already affected by localised flooding after heavy rainfall and the drainage system could not cope with extra water diversion.
17. A drainage impact assessment is still awaited by Scottish Water.
18. The proposal could result in the significant overlooking of existing residential properties and loss of light.
19. Local service provision is not able to cope with the increases in population which would result from the Merchiston site and this one.
20. Local schools are already near capacity and could not cope with additional development.
21. The development would compromise Renfrewshire Council via its responsibilities under the Human Rights Act, in particular Protocol 1, Article 1. This states that a person has the right to peaceful enjoyment of all their possessions, which includes home and other land. Article 8 of the Human Rights Act states that a person has a substantive right to respect for their private and family life. In the case of *Britton vs SOS* the Courts concluded that the protection of the countryside falls within the interests of Article 8.
22. The level of information available at the public event was poor. The level of dissatisfaction with the event and the development is not mirrored in Gladman's submission.
23. To approve planning permission based on the suite of documents submitted without adversarial review and challenge by Renfrewshire Council would be a failing to apply due diligence.
24. There is a large presence of bats/bat roosts within the vicinity.
25. The site is used by Canada Geese, as well as many animals that live there permanently.

26. The site plan submitted by Gladman Developments is subjective and misleading and is extremely speculative.

Consultations

The Director of Community Resources (Roads) - Currently undergoing assessment.

The Director of Community Resources (Environmental Services) - No objection subject to a condition requiring a Site Investigation and Remediation Report be provided prior to the commencement of development.

The Director of Community Resources (Design Services) - It is stated that it is not possible to adequately assess the proposal as the Flood Risk Assessment (FRA)/Drainage Strategy scope is incomplete. The FRA requires to be completed, supported by a Drainage Impact Assessment.

West of Scotland Water - No response.

The Coal Authority - Agree with the Phase 1 ground condition assessment that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works will be required. Recommend that a condition be imposed on any consent requiring site investigation works be undertaken prior to commencement of development.

Brookfield Community Council - Object to the proposal on the basis of location within the green belt contrary to the LDP, inadequate service provision, impact on local road network/traffic and pedestrian safety, impact on drainage and sewerage infrastructure and potential flood risk.

West of Scotland Archaeological Service - No objection subject to a condition requiring that no development take place on the site until the developer has implemented a programme of archaeological works in accordance with a written scheme of investigation, approved by the West of Scotland Archaeology Service and the Planning Authority.

The Director of Education and Leisure - State that any development at this site would seriously impact on the accommodation and provision of curricular and social spaces within primary catchment schools for this development. It is anticipated that both High Schools would be able to accommodate numbers.

Summary of Main Issues

Environmental Statement - A request for a screening opinion determined that although the proposal would fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011, it was not considered likely that the proposed works would have a significant environmental impact which would require an Environmental Impact Assessment be undertaken. It was considered that the proposal was unlikely to raise any issues which would not be capable of proper assessment through the planning application process.

Appropriate Assessment - N/A

Design & Access Statement - The applicant asserts that the aim of the document is to present a coherent explanation for the development of the site. It is stated that the Design Statement is largely for illustrative purposes and subject to further detailed design. It is stated that the scale and appearance of the proposed buildings within the site will be subject to a suitable condition as will the internal layout of the buildings. The proposal will retain the key hedgerows around the site perimeter, in particular those to the north, east and west boundaries of the site. All the trees along the site boundary will be retained subject to an arboricultural survey to ensure their safety. New planting will be in line with the indicative planting plan presented alongside the application.

The applicants suggest that the masterplan, while only illustrative, demonstrates that the development could strengthen the character of Brookfield by providing a layout that rationalises the abrupt edge of the village at Sandholes Road and could provide housing that fronts the edges of the village, presenting a positive, softened edge to Brookfield that is integrated with its surroundings.

The vehicular access to the site is proposed to be taken from Sandholes Road in the form of a simple priority junction. There will be a pedestrian and cycle access on Sandholes Road giving direct access to Chuckie Lane and provision is to be made for potential pedestrian access to Kilbarchan Cemetery.

Other Assessments

Pre Application Consultation Report (PAC) - Outlines the process which has been undertaken and confirms that pre-application consultation set out by statute, including a public exhibition, was satisfied. The summary states a large majority of respondents were of the view that they did not support the proposed development principally on the basis that the land is designated green belt, that Sandholes Road is too narrow to accommodate increased vehicular traffic and that the scale of the development is too large relative to the size of the village, given the consent granted for the residential development at the Merchiston Hospital site. It is advised that other respondents raised concerns regarding capacity of local schools to accommodate additional pupils and that drainage in the area was an existing issue.

Transport Assessment - The proposed development has been assessed by the applicant under sustainable principles with the traffic generated by all modes of transport including walking, cycling and public transport calculated. The TA has been prepared in support of a proposed residential development consisting of up to 90 units. The results of the people trip assessment indicates that the development is likely to generate in the region of 80 two way people trips during the weekday peak hours. Of this in the region of 49 two way trips are likely to be new vehicular trips. The applicants conclude that the existing pedestrian provisions located in the vicinity of the site are of a suitable standard to accommodate the additional walking trips generated. To the north and south of the development frontage the applicant considers that those sections of road currently operating as a shared surface would continue to be suitable. The existing level of bus service routing past the southern aspect of the site is considered adequate to accommodate the proposed increase in patronage. The applicant asserts that the development can be adequately connected to the rail network via park and ride.

The applicant proposes to provide a single point of vehicular access into the site by means of a priority junction from Sandholes Road. The results of the junction assessment undertaken have indicated that with the addition of development traffic, the proposed access junctions will operate within capacity for both weekday AM and PM peak hours. It is stated that detailed assessments have been undertaken for all junctions falling within the agreed area of influence for the proposed development. It is stated that the assessment has demonstrated that the impact on the local road network is negligible.

The applicant considers that the proposed development can be accommodated within the existing transport network with no significant detriment to existing transport users.

Phase 1 Ground Condition Assessment (Contamination and Stability) - The applicant states that the objective of the report is to identify the likely ground conditions and to assess whether there are potential risks associated with the ground conditions which might require further investigation and management (remediation or mitigation). It is stated that the site is not within the zone of likely physical influence from past or present underground workings, nor is it in an area for which the Coal Authority is determining whether to grant a future licence. It is stated that as a result of the likely presence of extensive drift deposits of between 9m and 21m in the northern part of the site this material will require to be assessed to determine geotechnical characteristics including bearing capacity and drainage, although risk is assessed as low/moderate. It is concluded that these risks can be resolved through a ground investigation.

Based on a land use assessment the applicants conclude that the potential for contamination to be present is very low. The worst case estimated risk from contaminated soil due to pesticides etc is considered to be mild and all other potential risks from contamination, very low. The possibility exists for the groundwater beneath the site to have been impacted by historical mine workings in the vicinity and a ground investigation is recommended.

The applicants acknowledge that a geotechnical investigation will be required to inform the foundations solution, roads construction and sustainable urban drainage systems (SUDS).

Noise Screening Report - The applicants note that Renfrewshire Council have confirmed that a Noise Assessment is not required.

Flood Risk Assessment & Drainage Strategy - The applicants state that the site is located outside of the SEPA defined functional floodplain in an area classified as having little or no risk of flooding from rivers and that a review of local evidence indicates that the site is at low risk of flooding from the majority of sources. It is claimed that topographical information indicates that the site currently drains via overland flows towards the east of the site at Sandholes Road as well as centrally to the watercourse. The drainage strategy considered existing drainage, and proposed foul and surface water drainage arrangements. It is concluded that there is no existing adopted drainage within Sandholes Road, however there are existing foul and combined sewers within the housing developments, immediately to the east. It is stated that in accordance with the requirements of Renfrewshire Council, the surface water discharge during a 1 in 25 year storm event shall be restricted so that it is no greater than the 1 in 2 year green field run-off figure. SUDS are to be provided on site and a drainage impact assessment will be required by Scottish Water. It is concluded that no capacity issues are expected with regard to surface water discharge, as volume will be less than green field run off values.

Landscape and Visual Impact Assessment - The applicants state that the effects on landscape character would be limited to the north, west and south extending no more than a few metres from the site boundary beyond which screening by existing vegetation would begin to restrict views and where existing housing is already characteristic. It is considered that medium term and permanent effects are likely to be little different in terms of scale. It is considered that inside the site and in close proximity to the west the landscape effects would be moderate and adverse, although beyond this small area they rapidly reduce and become neutral. Visual effects would be large scale within very close proximity to the site. Once matured vegetation would serve to reduce visual effects to the north and west and to a more limited degree to the south while it would have little influence on visual effects to the east. There would be very few notable effects on road and rail routes within the study area and these would tend to be limited to occasional short sections of any particular route. There is a large network of recreational routes within the study area of which only a handful would be likely to experience any effects. These would generally be of limited magnitude.

Agricultural Land Appraisal - The applicants state that the analysis confirms that the development of the site will not result in any loss of prime agricultural land and the reduction in non-prime agricultural land of class 3.2 is minimal.

Air Quality Screening Report - The applicants state that there are no statutory designated sites, which would be affected by traffic from the development. With regard to air quality monitoring, there are none within Brookfield, which suggests that there are no air quality concerns in the area.

The main pollutant of concern with regard to the suitability of the site for residential development is nitrogen dioxide. Background concentrations are well below the objective and local monitoring indicates that concentrations only exceed the objective in the vicinity of busy roads in Renfrewshire. Given the background concentrations in the area, and the lack of an AQMA along Sandholes Road, the report concludes that the site will be suitable for residential development without the need for mitigation against poor air quality. It is stated that the additional traffic on any road link is likely to be below the threshold for an assessment to be necessary.

Archaeological Assessment - The applicants state that based on the results of a desk-based assessment, the potential for archaeological remains to be present within the proposed development area is low. It is considered that the proposed development would not have an effect on the setting of the category 'C' listed Waterstone farmhouse.

Ecological Appraisal - An Extended Phase 1 Habitat Survey has been undertaken. The applicant's appraisal found the site to be predominantly arable fields, bordered by a variety of walls, fences and hedgerows, small patches of semi-improved neutral grassland and scrub, located at the site boundaries. The development footprint is centred on the arable fields, such that these boundary habitats will largely be retained as part of the development proposals, and incorporated within a

proposed landscape buffer and other linear green space. The potential for the site to support protected species was considered to be limited, although opportunities for roosting and foraging/commuting bats in trees along the south-western and eastern boundaries was noted. There was also some potential for boundary feature habitats to be used by nesting birds during the bird breeding season. As these boundary habitats are to be retained, the potential for effects on these protected species are limited. Recommendations are made for further surveys in relation to great crested newts and tree roosting bats.

Economic Impact Assessment - The applicants state that the proposal will have a number of positive economic effects, including supporting a number of construction, retail and public service jobs as well as providing increased expenditure into the local Renfrewshire economy.

Planning Statement - The applicants assert that Renfrewshire Council is failing to maintain an effective 5 year housing land supply, as required by national planning policy. The Council must therefore bring forward additional housing sites in sustainable locations that can be delivered in the short term (within 5 years). Renfrewshire Council's Housing Land Supply Supplementary Guidance (HLS SG) is the framework to facilitate this. It is stated that in demonstrating how the proposal complies with the requirements of the HLS SG, it has also been demonstrated that the proposal is in compliance with S33 of the SPP. It is further stated that the proposal is an opportunity for the housing land supply issue to be positively addressed under the terms of the Council's own adopted HLS SG. It is claimed that it has been demonstrated that the development of the site is free from insurmountable constraints, is in a location where there is a high demand for housing and meets the tests in PAN 2/2010.

Utilities and Infrastructure Report - The applicants report addresses the deliverability of the site utilities, consisting of electricity, gas, water, foul water discharge and telecoms. It has been advised that all utilities are capable of being provided at a cost although notwithstanding that Scottish Water has confirmed that there is capacity at the treatment works, a drainage impact assessment will be required to confirm there is sufficient capacity in the network to accommodate the development.

Planning Obligation Summary - N/A

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.



Renfrewshire
Council

16/0110/PP

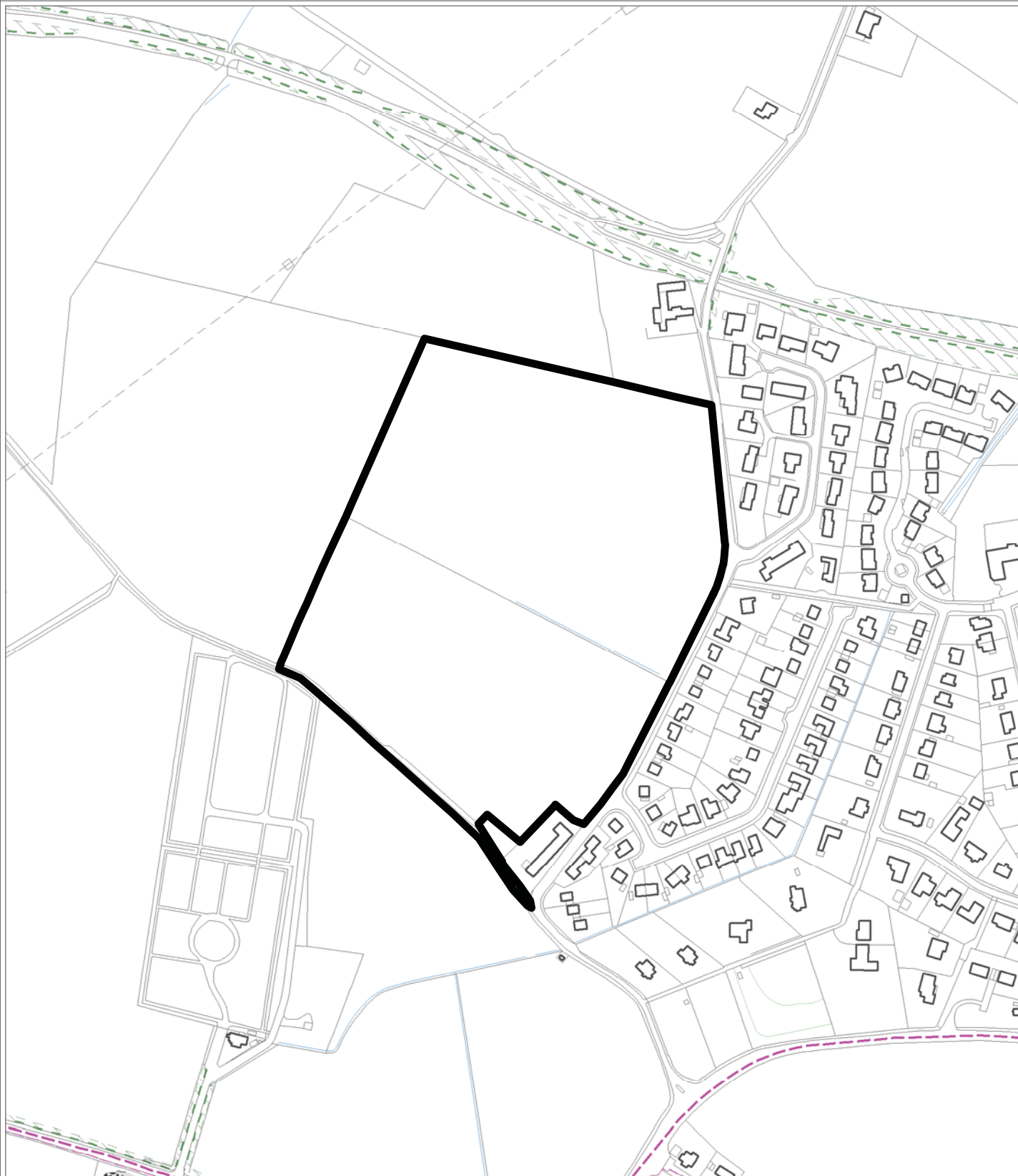
Site between Sandholes Farm and No 33,
Sandholes Road, Brookfield



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User: ptcameronr1

Date: 09/05/2016



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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.