

Planning Application: Report of Handling

Application No. 18/0023/PP



Renfrewshire
Council

KEY INFORMATION

Ward

10 Houston, Crosslee and
Linwood

Applicant

BDW Trading Limited
7 Buchanan Gate,
Business Park
Cumbernauld Road
Glasgow
G33 6FB

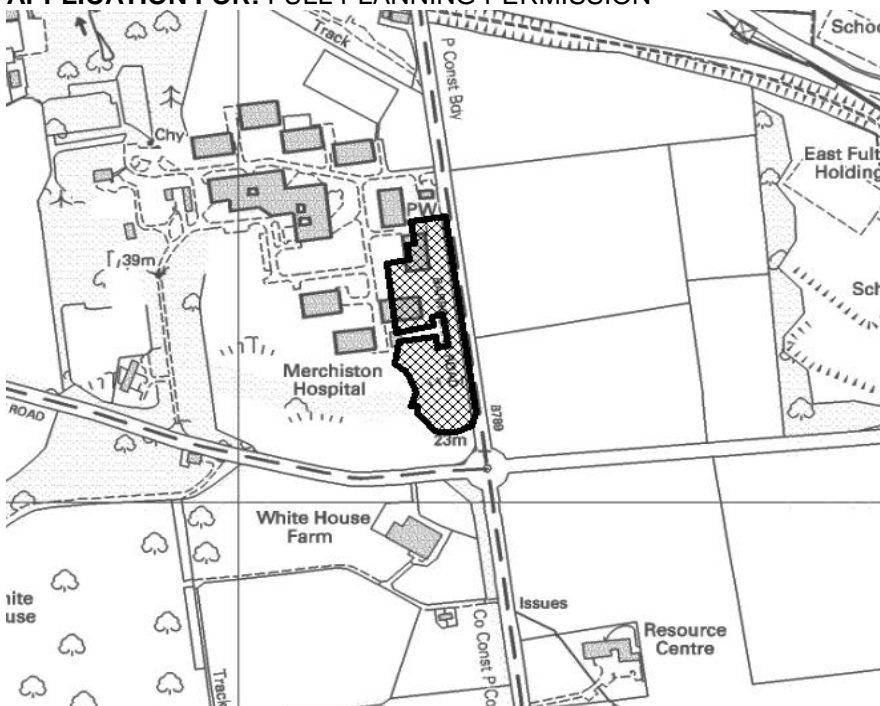
Registered: 10/01/2018

Report by Director of Development and Housing Services

PROPOSAL: SECTION 42 APPLICATION TO VARY CONDITION 4 (IMPLEMENTATION OF IMPROVEMENTS WORKS AT BARROCHAN INTERCHANGE) OF PLANNING PERMISSION 17/0320/PP RELATING TO THE ERECTION OF RESIDENTIAL DEVELOPMENT

LOCATION: FORMER MERCHISTON HOSPITAL, BRIDGE OF WEIR ROAD, BROOKFIELD, JOHNSTONE

APPLICATION FOR: FULL PLANNING PERMISSION



© Crown Copyright and database right 2013. All rights reserved. Ordnance Survey Licence number 100023417.

RECOMMENDATION

Grant subject to
conditions.

Fraser Carlin
Head of Planning and
Housing

SUMMARY OF REPORT

- The proposals accord with the Renfrewshire Local Development Plan; within which the site is included in Policy P3 'Additional Housing Sites' to contribute to Renfrewshire's Housing Land Supply.
- There have been thirteen letters of objection relating to the disruption caused by the earlier road works; that the works should be completed before houses are occupied; and that the occupation of houses would impact on the road network.
- There have been no objections, subject to conditions, from the various statutory consultees.

Description

This is a Section 42 application which seeks to vary condition 4 of planning permission 17/0320/PP which is for the erection of a residential development comprising 44 dwellinghouses with associated infrastructure and landscaping (variation to the layout approved under application 15/0731/PP) on the site of the former Merchiston Hosiptal, Bridge of Weir Road, Brookfield.

Condition 4 relates to the implementation of infrastructure improvement works at the Barrochan Interchange which is approximately 400m to the south of the site. The improvement works specified in the approved drawings relate to widening of the northern approach road to the Barrochan Interchange to improve the flow of traffic onto the A737. The wording of the condition is as follows:

That prior to the occupation of any dwellinghouse hereby approved, the Barrochan Interchange and Pedestrian Crossing improvement works as generally illustrated in approved Dougall Baillie Associates drawing numbers 15179/SK/02 and 15179/SK/03 shall be implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland.

Reason - to minimise interference with the safety and free flow of traffic on the trunk road.

The application seeks to vary the condition to allow for the occupation of 25 dwellinghouses prior to the implementation of the improvement works. The applicant has advised that the works will commence between April and May 2018, with a programmed duration of 12 weeks including the application for permits. It should be noted that the applicant originally sought for the occupation of 44 dwellinghouses prior to the implementation of the improvement works.

It should also be noted that application 18/0021/PP also seeks to vary the same condition attached to planning permission 17/0320/PP, again to allow for the occupation of 25 dwellinghouses prior to implementation of the improvement works. The applications cumulatively would therefore allow for 50 occupations in total across the site as a whole.

History

18/0021/PP - Variation of condition 7 (implementation of improvement works at Barrochan Interchange) of planning permission 15/0731/PP. Application yet to be determined.

17/0337/PP - Erection of 24 dwellinghouses with associated infrastructure and landscaping (amendment to planning consent 15/0731/PP). Granted subject to conditions 14/09/2017.

17/0320/PP - Erection of 44 dwellinghouses with associated infrastructure and landscaping (amendment to planning consent 15/0731/PP). Granted subject to conditions 14/09/2017.

15/0731/PP - Erection of residential development comprising 267 dwellinghouses with associated access, infrastructure and landscaping. Granted subject to conditions 27/01/2016.

15/0444/EO - Request for Screening Opinion as to whether an Environmental Assessment is necessary for residential development with associated access, infrastructure and landscaping. Environmental Assessment not Required 23/06/2015.

15/0432/NO - Erection of residential development with associated access, infrastructure and landscaping. Accepted 17/06/2015.

12/0875/DD - Demolition of vacant buildings. Permitted Development 19/02/2013.

Policy and Material

Considerations

Development Plan

Adopted Renfrewshire Local Development Plan August 2014

Policy P3 - Additional Housing Sites

Policy I1 - Connecting Places

Policy I3 - Potential Transport Improvements

Policy I5 - Flooding and Drainage

New Development Supplementary Guidance

Places Development Criteria

Places Checklist

Open Space Provision in New Developments

Infrastructure Development Criteria

Connecting Places

Flooding and Drainage

Material considerations

Renfrewshire's Places Residential Design Guide

Scottish Government publications on Designing Streets and Designing Places

Planning legislation requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise.

Publicity

Initial neighbour notification has been carried out in accordance with legislation. In addition, the application was advertised in the Paisley and Renfrewshire Gazette for the purposes of neighbour notification, with an expiry date for representations of the 14th February.

Objections/

Representations

Thirteen letters of representation have been received. The points raised in the

letters can be summarised as follows: road works already undertaken were mismanaged and have caused excessive disruption to adjacent communities the extent of which should be fully established; works should have been completed prior to occupation of houses; if market changes then works may never be undertaken, and local communities will face further disruption; existing infrastructure cannot cope with increase in traffic associated with further 94 occupations; works should be undertaken at night; Barrochan Road is no longer fit for purpose; no further applications should be approved until infrastructure upgrades have been completed; the 12 week programme of works is excessive; the Council must assess the implications of traffic control at the Barrochan Interchange; condition should be attached to ensure that delays caused by the proposed road improvements are minimised; priorities at Deafhillock Roundabout do not favour traffic from Houston.

Consultations

Transport Scotland - No objection.

The Director of Environment and Communities (Roads) - No objection.

Houston Community Council - Object on the following grounds: (i) Additional traffic generated by 94 new households would cause significant and unnecessary disruption; (ii) The residents of Houston should not have to bear the consequences of poor project management by the developer; (iii) The 12 week programme of works is excessive and should be rejected. The work should be undertaken more quickly and at night.

Linwood Community Council - Object on the following grounds: (i) The 12 week programme of works is excessive; (ii) The works already undertaken at the site have led to inconvenience for residents in Linwood and delays to public transport; (iii) The works should take place

overnight; (iv) The occupation of 94 dwellings must be weighed up against the inconvenience to local residents.

Summary of Main Issues

Environmental Statement - N/A

Appropriate Assessment - N/A

Design and Access Statement - N/A

Pre-Application Consultation Report - N/A

Planning Obligation Summary - N/A

Scottish Ministers Direction - N/A

Environmental Impact Assessment

The development was previously screened against the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 during the processing of application 15/0731/PP in order to establish whether the development would require an Environmental Impact Assessment. It was determined that the proposed development would not have a significant environmental impact. An Environmental Impact Assessment was not therefore required.

For the purposes of this application, the proposed development has again been screened against the 2011 Regulations. However, as the characteristics of the site and the development proposal have not changed in the intervening period, and no new environmental issues have been identified, it is again considered that an Environmental Impact Assessment is not required.

Assessment

This application has been submitted under Section 42 of the Town and Country Planning (Scotland) Act 1997. In this respect, the Council can only take into consideration the acceptability of any existing conditions, and is not entitled to re-consider the merits of the development

proposal and whether or not it is acceptable in principle. The planning assessment will focus on the acceptability of the proposed changes to the conditions, and what impact they will have with regard to the implementation of the planning permission. Proposed conditions must also meet the tests set out under the terms of Circular 4/1998, namely that they must be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other aspects.

The site of the former Merchiston Hospital was identified in the Adopted Renfrewshire Local Development Plan in 2014 as a suitable residential opportunity. Subsequently, planning permission was granted in September 2017 for this part of the development for 44 houses subject to a condition requiring that roads works be completed before the houses were occupied. This condition was imposed to ensure that the road works were carried out as part of the finished development but it was not crucial that they be undertaken to accommodate a specific number of occupied houses. The programme of road works extended beyond the anticipated timescales as Barratts contractors encountered below ground services which were not expected. When these services were encountered Barratts contractors required to liaise with Scottish Water and could not complete their aspects of the works until Scottish Water had completed their involvement. The over-running of road works on public roads are not subject to planning control nor was there a planning remit to intervene.

The main consideration in the assessment of this application is the acceptability of allowing 25 dwellinghouses (up to 50 in total when considered cumulatively with application 18/0023/PP) to be occupied prior to improvement works being implemented at the Barrochan Interchange. The applicant has sought to vary the condition as the programme of

infrastructure works has fallen behind the programmed completion of dwellings on the site. The delay in the programme of infrastructure works is due to the protracted nature of the works required to upgrade the Deafhillock roundabout which is the principal access into the development.

The current wording of the condition would require completed dwellings to remain unoccupied until the Barrochan Interchange works are complete. However the applicant is entitled, under Section 42 of The Town and Country Planning (Scotland) Act 1997, to make an application to vary the terms of the condition.

Condition 4 was attached to the granting of planning permission 17/0320/PP following consultation with Transport Scotland. Transport Scotland have been consulted on the proposed variation of Condition 4, and have offered no objections to the revised wording with respect to the impact of the proposed variation on the trunk road network. The Director of Environment and Communities (Roads) has also offered no objections to the proposed variation with respect to traffic impact on the local road network. On this basis, I am satisfied that the occupation of 25 dwellinghouses will not have a detrimental on the flow of traffic on the trunk road and local road network surrounding the site.

With regard to the comments from representees, Linwood Community Council and Houston Community Council, the disruption caused by the protracted nature of the works to upgrade the Deafhillock roundabout is acknowledged. The grant of planning permission for residential development on the site of the former Merchiston Hosiptal was conditional on a number of upgrades to the local road network, including those at the Barrochan Interchange.

For the purposes of this application, only the acceptability of existing conditions can be considered. Condition 4 relates solely to the relationship between the implementation of improvement works at the Barrochan Interchange and the occupation of dwellings. It does not relate to the exact timing of the works, the duration, what time of day they are undertaken, or the management of traffic during the duration of the works. Further conditions relating to these matters cannot be imposed. The regulation of works taking place on the public road is managed through the Roads Construction Consent process and the Roads (Scotland) Act.

The applicant has sought to vary condition 4 to allow for 25 dwellings to be occupied prior to the infrastructure works at Barrochan Interchange being completed. Both Transport Scotland and the Director of Environment and Communities (Roads) have not objected to the proposed variation. I would therefore conclude that while the occupation of 25 dwellings on the site will result in a modest increase in traffic using the road network prior to the upgrade works at Barrochan being completed, it will not be such a material increase so as to have any significant or detrimental impact on the movement of traffic on both the local and trunk road network. The proposed variation should therefore be accepted.

Recommendation and Reasons for Decision

The proposal complies with the provisions of the Local Development Plan and the associated New Development Supplementary Guidance, and there have been no objections from statutory consultees. It is therefore recommended that planning permission should be granted subject to the varied condition 4, with all other conditions imposed as originally worded.

Recommendation

GRANT SUBJECT TO CONDITIONS

Conditions & Reasons

1. Reason for Decision

The proposal accords with the provisions of the Development Plan and there were no material considerations which outweighed the presumption in favour of development according with the Development Plan.

2. No development shall commence on site until written approval of:

a) 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;

b) a Remediation Strategy and Implementation Plan identifying the proposed methods for implementing all remedial recommendations contained within the Site Investigation report

prepared in accordance with current authoritative technical guidance, has been provided by the Planning Authority.

Reason: To ensure that the site will be made suitable for its proposed use.

3. That prior to the occupation of any residential unit within the development hereby approved;

a) a Verification Report confirming completion of the works specified within the Remediation Strategy approved as part of Condition 2;

b) if remediation works are not required but soils are to be imported to the site, a Verification Report confirming imported soils are suitable for use on the site

shall be submitted to, and approved in writing by, the Planning Authority.

Reason: To demonstrate that the works necessary to make the site suitable for use have been completed.

4. That not more than 25 of the dwellinghouses hereby approved shall be

occupied until the Barrochan Interchange improvement works as generally illustrated in approved Dougall Baillie Associates drawing number 15179/SK/02 have been implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland.

Reason - To minimise interference with the safety and free flow of traffic on the trunk road.

5. That prior to the occupation of dwellinghouses situated in plots 300-302, 315-317, 319, 320-327 and 341 as shown on approved drawing WS-09-20 Revision B, a verification report confirming installation of the mitigation measures detailed within Appendix 3 of the approved Noise Impact Assessment R-7324-ST-RGM prepared by RMP including the installation of double glazing units with a minimum specification of 6mm glass/12mm air space/4mm glass to achieve a minimum noise reduction of Rw28, ventilation units with a minimum noise reduction of 34dB, and 1.8m high acoustic barriers where required shall be submitted to, and approved in writing by, the Planning Authority.

Reason: To ensure that road traffic noise is suitably mitigated at these plots.

6. That prior to the commencement of development on site, full details of the design and finish of all fences, walls and other means of enclosure to be erected on the site shall be submitted to, and approved in writing by, the Planning Authority. Only the approved details shall thereafter be implemented on site, and maintained in the agreed upon manner.

Reason: These details have not yet been submitted.

7. That prior to the commencement of development on site, full details and/or samples of the facing materials to be used on all external walls and roofs of the dwellinghouses hereby approved shall be submitted to, and approved in writing by, the Planning Authority. Thereafter only the approved materials shall be used in the development of the site.

Reason: A full specification detailing finishing materials has not been submitted.

8. That prior to the commencement of development on site, a specification detailing the design, scale and finish of all structures

and methods of enclosure, and the finish of all hard surfaces, to be formed at the bin store locations as shown on approved drawing WS-09-20 Revision B shall be submitted to, and approved in writing by, the Planning Authority. The specification shall also detail the maintenance arrangements for such areas. Only the details thereafter approved shall be implemented on site, and maintained in the agreed upon manner.

Reason: These details have yet to be submitted.

9. That prior to the commencement of development on site, a scheme of landscaping, shall be submitted to, and approved in writing by, the Planning Authority; the scheme shall include:- (a) details of any earth moulding and hard landscaping, grass seeding and turfing; (b) a scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted; (c) details of the phasing of these works; (d) details of the management and maintenance for all landscaped areas.

The landscaping scheme shall thereafter be implemented on site in accordance with the approved phasing details, and maintained thereafter in accordance with the approved management and maintenance details.

Reason: In the interests of the visual amenity of the area.

10. That prior to the commencement of development on site, full details and/or samples of the materials to be used for all hard surfaces within the development hereby approved shall be submitted to, and approved in writing by, the Planning Authority. Thereafter only the approved materials shall be used in the development of the site.

Reason: A full specification detailing finishing materials has not been submitted.

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 0141 618 7892.

The site has been visited and the photographs archived.