



**Report by Chief Planning Officer
Planning and Climate Change Policy Board: 21 January 2025**

Reference No	24/0444/PP
Application Type	Planning Permission
Proposal	Infilling and regrading of land
Location	Land at Glenfield Road, Caplethill Road, Paisley
Ward	6 - Paisley Southeast
Community Council	Glenburn Community Council
Applicant	Miller Homes Ltd
Recommendation	Refuse
All plans, reports, documents and representations relating to this application can be viewed in full online at https://pl-bs.renfrewshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SFQPGZMWIF900 .	

This report fulfils the requirements of regulation 16, Schedule 2, paragraphs 3(c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

The report is presented to the Planning and Climate Change Policy Board in line with the Council's Scheme of Delegation. In this instance, officers have declined to exercise delegated authority given the complex planning history of the site.

Proposal

This application seeks planning permission for the re-grading and infilling of land to the south of Caplethill Road, Paisley. The infill and regrading of the land would involve material of a volume of approximately 10,000m³ being deposited on the application site. The applicant in support of the application, has stated that the proposal is necessary due to a proposed footpath on the south side of Caplethill Road which forms part of the off-site works for an approved residential development on the north side of Caplethill Road, immediately adjacent to the site (20/0510/PP). The levelling of the land would mitigate health and safety concerns with the existing slope in proximity to the footpath. The materials would be imported from the adjacent housing site (20/0510/PP) which is currently under construction.

Site Description

The application site is located to the south of Paisley, on the edge of the town and immediately adjacent to an approved housing site which is currently under construction (20/0510/PP). The application site relates to an area of ground situated between Caplethill Road to the north and core path GB/9 to the east and core path SP/32 to the south. The ground slopes away from Caplethill Road and the core paths. The centre of the site is low lying wetland.

Pre-Application Consultation with Officers

The Scottish Government strongly encourages constructive pre-application discussions between prospective applicants and the planning authority. Pre-application discussions seek to identify key planning considerations at an early stage and help inform what supporting information is required to support a subsequent application.

No pre-application discussions have taken place.

Negotiated Improvements

No changes have been negotiated.

Site History

The planning history for the site is as follows; if no history is listed then planning has no record of previous applications for the site.

None.

It is of significance to note the planning history of the adjacent site:

Application Number: 20/0510/PP

Description: Erection of residential development comprising of 179 units with associated access, landscaping and ancillary works.

Decision: Granted subject to conditions and S75 (Planning Appeal PPA-350-2041)

Consultations

NatureScot – No response.

Environment, Housing & Infrastructure (Env. Protection) - No objections subject to conditions.

Chief Executive's Service (Roads Development) - No objections subject to conditions.

S.E.P.A. - No comments. There may be regulatory authorisation's required to undertake the engineering works in the water environment.

Representations

The application has been publicised in line with the requirements of the relevant legislation.

The following representations were received:

Object - 2

Support -0

Neutral - 0

The issues raised can be summarised as follows:

1. Evidence of protected species on site. The applicant has not provided any ecological assessment.
2. Potential concerns with regards to SEPA for the infilling of wetland.
3. The proposed footpath for the housing development (20/0510/PP) is not suitable as a safe route to school.

Policy Context

In making any determination under the Planning Acts, regard is to be had to the development plan unless material considerations indicate otherwise. In this instance the Development Plan consists of National Planning Framework 4 (NPF4) and the Renfrewshire Local Development Plan (2021) (LDP).

The following provisions of the Development Plan are considered relevant to the determination of this application:

National Planning Framework 4

Policy ENV1 - Green Belt

Policy 3 - Biodiversity

Full details relating to the policies of the NPF4 can be found [online](#).

Renfrewshire Local Development Plan

Policy ENV1 - Green Belt
Policy ENV2 - Natural Heritage

Full details relating to the policies of the LDP can be found [online](#).

New Development Supplementary Guidance

Delivering the Environment Strategy - Green Belt Development Criteria, Natural Heritage, Biodiversity.

Submitted Reports and Assessments

The following information was sought by the case officer:

- Purpose of infilling including the source/nature/volume testing of the materials;
- Ecological Survey;
- Details relating to the drainage of the site;
- Impact of the proposed development on trees;
- Details of proposed landscaping; and
- Details of how the site would be accessed.

No reports or assessments were submitted in support of the application.

Scottish Ministers Direction

In determining a planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

None.

Planning Assessment

Section 25 of the Town and Country Planning (Scotland) Act requires decisions on planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises the National Planning Framework 4 (2023) and the adopted Renfrewshire Local Development Plan (2021).

The fourth National Planning Framework (NPF4) provides the long-term national spatial strategy for planning in Scotland. It sets out the Scottish Government's current view on delivering sustainable, liveable and productive places through the application of spatial principles. As the application site in this case is situated at a rural location which is designated as green belt in the adopted Renfrewshire Local Development Plan (LDP), Policy 8 and Policy ENV1 of the LDP are relevant to the assessment of this application as they set out specific circumstances in which new development will be supported in principle in green belt and rural areas. A summary of acceptable development includes:

- Development associated with agriculture, woodland creation, forestry and existing woodland;
- Residential accommodation required and designed for a key worker in a primary industry within the immediate vicinity of their place of employment;
- Horticulture;
- Outdoor recreation, play and sport or tourism uses; and developments that provide opportunities for access into the open countryside;
- Flood risk management;

- Essential infrastructure or new cemetery provision;
- Minerals operations and renewable energy developments;
- Intensification of established uses;
- The reuse, rehabilitation and conversion of historic assets; or
- One-for-one replacements of existing permanent homes.

It has not been demonstrated that the proposed development relates to any of the above development as an acceptable greenbelt use and as such, the proposal would not comply with Policy 8 and ENV1.

Notwithstanding this, the New Development Supplementary Guidance, Green Belt Development Criteria sets out several criteria against which all development proposals within the green belt will be assessed. When the proposal is assessed, the following conclusions can be made.

- **There would be no loss of prime quality agricultural land or of lesser quality that is locally important** - The site is not characterised as prime agricultural land and there is no evidence that it is a locally important area of agricultural land.
- **Adverse impacts on the qualities of wild land that cannot be overcome by siting, design, and other mitigation** - the application is not supported by any information which demonstrates that the proposal /or landscaping would mitigate any impact on wild land. For clarity the site is considered to be defined as wild land.
- **Traffic and access infrastructure can be sensitively accommodated** - No details have been provided in respect of how the site would be accessed and material transported to the site.
- **No significant effects on public water supply and water environment from any pollution risk** - no evidence has been provided to suggest that the proposal would not result in significant pollution of any water supply.
- **The development links to existing green network and active travel routes or provides new enhanced routes** - The proposed development would not link to any active travel route, nor would it provide enhanced routes.
- **Proposals to protect and provide access to open space have been incorporated** - the proposal would not impact on any existing access to open space. However, it is considered that the proposal would result in the loss of an area of designated greenbelt land.
- **Development will not have a significant detrimental impact on the local landscape character. Development layout, design and siting must reflect local landscape character and respect and incorporate important landscape features such as traditional field enclosures, water courses, woodlands, and skyline** - given the low-lying nature of the site, it is unlikely that the development would have a significant detrimental impact on the local landscape character, however, no details have been provided in relation to the proposed landscaping associated with the proposed development or details relating to the removal of the existing landscaping including the removal of trees and shrubs.
- **It can be demonstrated that there is careful consideration of the siting, design, scale and grouping of any buildings and infrastructure** – There are no buildings proposed.

- **Appropriate landscaping proposals have been incorporated including the provision of well-designed boundary treatment** - Policy ENV 2 advises that in considering tree or woodland removal, proposals should minimise any adverse impacts on habitats, species, network connectivity or landscape character. Policy 3 also states that proposals for local development should include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. No landscaping or biodiversity enhancement scheme has been provided including details on any trees to be removed.
- **There are adequate services available for the development, or this can be provided** - due to the nature of the proposal, this would not be applicable.
- **There is no significant detrimental effect on identified nature conservation interests, including species and habitats** - The applicant has failed to submit Habitat /wildlife surveys in support of the application and therefore it cannot be concluded that there will be no significant detrimental impact on nature or conservation interests as a result of the application proposal.

In conclusion, it is considered that there is insufficient justification to allow for the proposed development at this location, given the green belt designation of the application site. A suitable locational need for the development has not been demonstrated and none of the relevant Development Plan policies or guidance outlined above are considered to offer suitable support in principle to allow the proposed development at this location.

Additionally, the application does not satisfy that the proposal would not adversely affect biodiversity including protected species. Therefore, the proposal is also found to be contrary to the relevant Development Plan policies and guidance on this point.

For these reasons, it is therefore recommended that planning permission is refused.

Representations

Consideration of the representations received are noted below:

1. The applicant has failed to demonstrate that the proposed development would not have a detrimental impact on biodiversity.
2. SEPA have been consulted and advise that their Standing Advice would be relevant.
3. The principle of the footpath in relation to the off-site works for the housing development is not applicable to the proposal subject to this report.

Planning Obligations

The Council is required to provide a summary of the terms of any planning obligation which is required to be entered into under Section 75 of the Town and Country Planning (Scotland) Act in relation to the grant of permission for the proposed development:

None.

Conclusion

In view of the above, it is considered that the proposal would not accord with the relevant provisions of the Development Plan and there are no other material considerations that would outweigh the provisions of the development plan. Planning permission should therefore be refused,

Recommendation

Refuse

Reason(s) for Recommendation

1. The proposal is contrary to the Policy 8 of NPF 4 and Policy ENV 1 of the Renfrewshire Local Development Plan and the associated New Development Supplementary Guidance as it has not been demonstrated that the proposal is an acceptable green belt use nor that it has a specific location need.
2. The proposed development is considered contrary to Policy 3 of NPF4 and Policy ENV2 of the Renfrewshire Local Development Plan and the associated New Development Supplementary Guidance as the applicant has failed to demonstrate that the proposed development would not have a detrimental impact on biodiversity and natural heritage,

Condition(s)

1. None required.

Advisory Note(s)

1. None required.

Schedule of Plans Determined

Drawing Number	Revision	Drawing/Document Title	Stamped Drawing
TP-01		Location Plan	
SK1000		Ground Re-Profiling Plan and Sections	

For further information please contact Fiona Knighton, Development Standards Team, Email: fiona.knighton@renfrewshire.gov.uk