



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

<b>Reference No</b>	24/0653/FUR
<b>Application Type</b>	Further Application
<b>Proposal</b>	Section 42 application to modify conditions of planning permission 19/0444/PP relating to the erection of residential development comprising 15 dwellinghouses with associated access road, drainage and landscaping
<b>Location</b>	Greenhead Nursery And Adjacent Vacant Land, Old Greenock Road, Inchinnan
<b>Ward</b>	12 - Erskine and Inchinnan
<b>Community Council</b>	Inchinnan Community Council
<b>Applicant</b>	Greenhead Homes Limited
<b>Recommendation</b>	Grant Subject to Conditions & S75
All plans, reports, documents and representations relating to this application can be viewed in full online at <a href="https://pl-bs.renfrewshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SJWPI9MWKD100">https://pl-bs.renfrewshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SJWPI9MWKD100</a>	

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 recent enforcement case relating to the site and public interest in the proposed development.

### **Proposal**

This application seeks permission under Section 42 of The Town and Country Planning (Scotland) Act 1997 (as amended) to modify the conditions attached to planning permission 19/0444/PP which relates to the erection of a residential development comprising 15 dwellinghouses with associated access road, drainage and landscaping at a site on Old Greenock Road, Inchinnan, known as the former Greenhead Nursery.

The proposal seeks to amend the conditions as follows:

- Introduce a new condition which requires the consent to be implemented within three years of the date of the consent;
- Modify condition 4 to reflect landscaping proposals which have been submitted and considered to be acceptable to the Planning Authority. The condition would reference the landscaping plan in question.
- Modify condition 6 to reflect the details relating to facing materials which have been submitted and considered to be acceptable to the Planning Authority. The condition would reference the facing materials in question.
- Amalgamate conditions 7 and 8 into one condition to reflect that the boundary treatments have been submitted and are considered acceptable to the Planning Authority. The condition would require the boundary treatments to be implemented in line with the submitted details.

It is proposed that conditions 2, 3 and 5 as attached to planning consent 19/0444/PP would be reattached in their existing form.

### **Site Description**

The site is currently disused and overgrown and sits between Inchinnan Playing Fields and an existing housing development accessed from Ladyacres. It is relatively flat with existing areas of hardstanding associated with the previous use. There are three private residences within immediate vicinity of the site, namely Greenhead Farm, Greenhead Cottage and Craigdene.

The former nursery was accessed by vehicles via the existing road access off Old Greenock Road, which services the residential properties of Greenhead Cottage, Craigdene and Greenhead Farm.

The site is bounded to the south and southeast by open agricultural fields, to the north across Old Greenock Road by Inchinnan Primary School and a care for the elderly and to the west by Inchinnan playing fields.

It should be noted that development on the site has commenced with evidence of the formation of an access road and aspects relating to drainage proposals.

### **Background**

Planning consent was granted in December 2019 subject to conditions, which included five pre-commencement conditions, each of which required to be satisfied prior to the commencement of the development in question. It is significant to note that shortly after the grant of planning application 19/0444/PP, a number of national lockdowns were implemented as a result of the coronavirus pandemic and as such this delayed the submission of details relating to the pre-commencement conditions and ultimately the implementation of the consent.

As a result of emergency coronavirus legislation, planning consents due to expire within the emergency period (7<sup>th</sup> April 2020 to 30<sup>th</sup> September 2022) were granted an extended implementation date of 31<sup>st</sup> March 2023. In applying the emergency legislation to planning consent 19/0444/PP it is significant to note that the consent was due to expire outwith the emergency period as prescribed by the aforementioned emergency legislation and in this regard the planning consent required to be implemented by 22<sup>nd</sup> December 2022.

It should be noted that all pre-commencement conditions had not been discharged prior to the expiry date of 22<sup>nd</sup> December 2022 and the consent was therefore not implemented and in this regard planning consent 19/0444/PP lapsed on 22<sup>nd</sup> December 2022.

Notwithstanding the above, it is important to note that the applicant had sought to discharge condition 2 relating to the need for a site investigation report and remediation strategy and implementation plan prior to the expiry of the planning consent in question - the initial submission of a Site Investigation Report was received on 30<sup>th</sup> January 2022. As a result of delays and resource pressures in dealing with contaminated land matters at the time, condition 2 was not satisfied prior to the expiry of the planning consent. An initial response was provided in respect of the site investigation report on 18<sup>th</sup> May 2022 which sought the submission of further details. Further details were later received however condition 2(a) was not discharged prior to the expiry of the consent in December 2022. This is an unfortunate circumstance and as such apologies are offered in respect of such delays however this does not change the fact that the expiry of the planning consent was known as 22<sup>nd</sup> December 2022 albeit it is accepted that some confusion may have existed, in relation to the emergency period which was provided by the emergency coronavirus legalisation at the time in question. In addition to the above, it should also be noted that submission and approval of other pre-commencement conditions did not take place until early 2023, after the expiry of the consent, while no submission has ever been received in respect of planning condition 2(b) which relates to a remediation strategy and implementation plan.

It should be noted that no S42 application was submitted prior to the expiry of planning consent 19/0444/PP which sought to extend the life of the consent in question.

The applicant sought to commence works in June 2024 and as such on review of the case file and the details noted above, it was concluded that the consent was not implemented prior to the expiry date. A temporary stop notice was issued on 16<sup>th</sup> August 2024.

In light of all of the above, the applicant has chosen to submit a Section 42 application which seeks to modify conditions attached to the original consent. In this regard, it is significant to note the circumstances in which this Section 42 application has been submitted.

Planning consent 19/0444/PP was granted without a period of implementation being specified as a condition. In such circumstances Section 58 of the Town and Country Planning (Scotland) Act 1997 (as it existed on the day of the grant of planning permission) provided that where no period of implementation was specified in a grant of planning permission then a statutory period of three years for implementation would apply. The statutory period of three years was to be treated as a condition only in respect of Sections 43A(8)(b) and 47(1)(a), (3) and (4)(a) of the 1997 Act. In effect this means, at least for the purposes of a Section 42, the previous permission was not granted subject to a condition as to the time within which the development to which it related was to be begun. In turn this means Section 42(4) does not apply in respect of the now lapsed permission, and therefore it enables a Section 42 application to be submitted and considered.

### **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.

Pre-application discussions have taken place, focusing on the commencement of development, legality of development without discharge of conditions before expiry of consent and the way forward including various issues which have arisen as a result.

### **Negotiated Improvements**

Following submission, further consideration has been given to landscaping, screening, headlight glare and drainage.

### **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.

Application No: 19/0444/PP

Description: Erection of residential development comprising 15 dwellinghouses with associated access road, drainage and landscaping

Decision: Grant subject to conditions

### **Consultations**

**Chief Executive's Service (Roads Development)** - No objection subject to a condition requiring the submission of plans illustrating the provision of appropriate kerbing, screening and levelling of land adjacent to the access road to the site.

**Children's Services** - No objection subject to a S75 to secure financial contributions in respect of Park Mains High School and Trinity High School.

**Scottish Water** - No response received.

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

The following representations were received:

Object - 12

Support - 6

Neutral - 0

The issues raised can be summarised as follows:

1. Overlooking due to lack of screening of access road
2. Pavement provision on main road is inadequate.
3. Kerbing on access road inadequate to allay any safety concerns.
4. Lack of drainage.
5. Private stone wall, not part of application site, has been removed.
6. Using private farm road for industrial use has left road in need of repair.
7. Noise levels during construction are unacceptable.
8. Having street lights directly behind properties now invades private properties with artificial light.
9. Developers are using land not within the approved development area to dump overburden and dirt affecting safety and wildlife.
10. Houses facing access road are too high and will result in overlooking.
11. The stamped approved plans do not reflect what is currently developed.

### **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 1 - Tackling the climate and nature crises

Policy 2 - Climate mitigation and adaptation

Policy 3 - Biodiversity

Policy 9 - Brownfield, vacant and derelict land and empty buildings

Policy 13 - Sustainable transport

Policy 14 - Design, quality and place

Policy 15 - Local Living and 20 minute neighbourhoods

Policy 16 - Quality homes

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

#### **Renfrewshire Local Development Plan**

Policy P1 - Renfrewshire's Places

Policy I1 - Connecting Places

Policy I3 - Flooding and Drainage

Policy I8 - Developer Contributions

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

#### **Other relevant policies and guidance**

New Development Supplementary Guidance 2022  
Delivering the Places Strategy - Creating Places  
Delivering the Environment Strategy  
Delivering the Infrastructure Strategy

Renfrewshire's Places Design Guide

Draft Developer Contributions (Education) Planning Guidance

### **Submitted Reports and Assessments**

The following reports and assessments were submitted in support of the application:

**Section 42 Supporting Statement** - Outlines the basis for the application, suggests amended conditions to enable development to proceed and provides information to demonstrate compliance with remaining conditions.

**Development Plan Assessment** - provides an assessment against all relevant current planning policies and guidance setting out the supporting context for the redevelopment of this brownfield site for residential development.

### **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**

The S42 application seeks to extend the timescale of the consent through the addition of a time limit condition and seeks to amend conditions regarding landscaping, materials and roads requirements. The justification for this application is explained in the introduction to this report which refers to legislation that was in place at the time of the original consent, 19/0444/PP.

The conditions to be added and modified are as follows:

To reflect the fact that section 58 of the 1997 Act has been amended since the date of the grant of planning permission, a new condition 1 is proposed, requiring that the permission be implemented within 3 years of the date of the grant of this consent.

### **Landscaping**

Existing Condition 4 'Landscaping', states:

That before any development of the site commences 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) an indication of all existing trees and hedgerows, plus details of those to be retained, and measures for their protection in the course of development, and (d) details of the phasing of these works;

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

To reflect the fact that the landscaping proposals previously submitted to and approved by the Council are to be adjusted to reflect overlooking and glare concerns expressed by local residents, condition 4 is proposed to be modified so that it makes specific reference to the drawing which incorporates the mitigation measures that have been discussed.

It is proposed that the condition is amended to read as follows:

*That before any development on the site commences a scheme of landscaping (incorporating the measures detailed in Drawing No. [GH IR 100.22 SL-01 Rev D] available in Document 2.1) 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) an indication of all existing trees and hedgerows, plus details of those to be retained, and measures for their protection in the course of the development and (d) details of the phasing of those works.*

*Reason: In the interests of the visual amenity of the site.*

#### Facing Materials

Existing condition 6 'Facing Materials' states:

That before development starts, full details and/or samples of the facing materials to be used on all external walls and roofs 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: These details have not been submitted.

This application, if approved, would result in a new consent therefore an amended condition is considered appropriate to reflect the plans and materials already considered acceptable.

It is proposed that the condition is amended to read as follows:

*That all external walls and roofs within the development hereby permitted shall be constructed in accordance with the details and using the external finishes and facing materials shown in drawings contained in Drawings No. [A892-W05, A1215-W24, A1215-W34, A1215-W44, A1215-W05, A1215-W14, GHG-NOR-05-ZZ-DR-A-00-1001, A1215-W54] available in Document 2.2.*

*Reason: In the interests of the visual amenity of the site.*

#### Boundary Treatments

Existing conditions 7 & 8 'Boundary Treatments', state:

That before development starts, full details of the design and location of all fences and walls to be erected on the site shall be submitted to, and approved in writing by, the Planning Authority.

Reason: These details have not been submitted.

That before any of the dwellinghouses situated on a site upon which a fence is to be erected is occupied, the fence, or wall, for which the permission of the Planning Authority has been obtained under the terms of conditions 7 above, shall be erected.

Reason: To safeguard the amenity of future residents.

Given that the details of the design of the boundary walls and fences that are to be constructed within the site have been approved by the Council, it is proposed that conditions 7 and 8 (which respectively required such approval to be in place before development was allowed to commence and thereafter that the development be implemented in accordance with the approved detail) be removed and replaced with a single condition which requires that the walls and fences are erected in the approved locations and in accordance with the approved design. Again, this application, if approved, would result in a new consent therefore an amended condition is considered appropriate to reflect the plans and materials already considered acceptable.

It is proposed that the condition is amended to read as follows:

*That before any dwellinghouse situated in the site upon which a boundary fence and/or wall is to be erected is occupied, the relevant fences and walls shall be erected in accordance with the design details and in the locations shown in Drawing No. [A1215-BT01] available in Document 2.3.*

Reason: To safeguard the amenity of future residents.

#### Roads Traffic/ Safety

Condition 9 'Roads/Traffic Calming', states:

That before development starts, full details of the traffic calming measures, crossing point and footway enhancements shall be submitted to, and approved in writing by, the Planning Authority. Thereafter the details as approved shall be implemented prior to the occupation of any dwelling.

Reason: In the interests of pedestrian and road safety.

To reflect the fact that the roads measures previously submitted to and approved by the Council are to be adjusted to reflect safety and glare concerns expressed by local residents, requirements relative to surface drains, and issues raised through consultation with the councils roads engineers, condition 9 is proposed to be modified to take these matters into account.

It is proposed that the condition is amended to read as follows:

*That prior to any development commencing, full details of the traffic calming measures, crossing point and footway enhancements shall be submitted to, and approved in writing by, the Planning Authority. These should include:*

- 1. Provision of suitably retained minimum 1m wide flat shoulder verge to the outside of the new road from Old Greenock Road to Greenhead Farm House with maximum 1in2 side slopes in accordance with the Design Manual for Roads and Bridges.*
- 2. Details of a strained post and wire fence to BS 1722 along the new curved section of road between Old Greenock Road to Greenhead Farm House to provide an additional temporary vehicle restraint for a period of 3 years or until the hedging matures.*
- 3. Details of planting and or screening to prevent headlight glare from passing vehicles to the houses beyond.*

4. *Details of connections to the surface water outfall to a positively drained network leading to a watercourse to the approval of Scottish water.*

*Thereafter the details as approved shall be implemented prior to the occupation of any dwelling.*

*Reason: In the interests of pedestrian and road safety.*

In addition to these proposed amendments, it has become apparent that the appropriate drainage of the site may not be achievable through connection to the Scottish Water Network. Therefore, it is proposed to attach a further condition requiring that an appropriate drainage assessment be undertaken and a drainage strategy submitted for the agreement of the council in consultation with Scottish Water, prior to the commencement of development.

The following condition is proposed.

*That prior to the commencement of the development hereby approved, a Drainage Impact Assessment shall be submitted and approved by Renfrewshire Council as Planning Authority. The Drainage Impact Assessment shall accord with the 'Council's Drainage Assessment - Notes for Guidance'. Thereafter, the Assessment as approved shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of Renfrewshire Council as Planning Authority. For the avoidance of doubt, the Drainage Impact Assessment should include full details of the drainage strategy for the development hereby approved.*

*Reason: To ensure adequate provision for drainage associated with the development.*

It is proposed that conditions 2, 3 and 5 as attached to planning consent 19/0444/PP would be reattached in their existing form.

In addition, given that this is a new application, any changes to planning policy or other relevant material considerations also require consideration.

In this regard, planning permission 19/0444/PP was granted on the 23<sup>rd</sup> December 2019 under Renfrewshire Local Development Plan 2014 and taking account of the Proposed Renfrewshire Local Development Plan 2019 which was a material consideration at that time. The proposal was assessed as being compliant with the relevant policies and considerations subject to conditions.

Since the submission of that application, Scotland's Fourth National Planning Framework (NPF4) has replaced NPF3, Scottish Planning Policy (SPP) and the Strategic Development Plan (SDP) and now forms part of the statutory Development Plan alongside the now adopted Renfrewshire Local Development Plan 2021. Therefore, the Development Plan now comprises NPF4 (adopted 13th February 2023) and Renfrewshire Local Development Plan 2021.

National Planning Framework 4 (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.

When the application proposal is assessed against the relevant policies of NPF4, the following conclusions can be made.

Policy 1 & 2 - Tackling the Climate and Nature Crisis/Climate Mitigation and Adaption - Policy 1 gives weight to the global climate and nature crisis when considering development



proposals. The application site is a brownfield site within a sustainable location which will integrate with active travel routes and public transport and see the development of energy efficient homes with landscaping. As such it can be considered that the proposed satisfactory addresses the requirements of Policies 1 and 2.

Policy 3 - Biodiversity - Policy 3 seeks to protect biodiversity loss, deliver positive effects from development and strengthen nature networks. The proposal seeks to develop a brownfield site within a residential locale where degraded remnants of past uses were evident. The proposal includes landscaping reflective of the surrounding area and seeks to maintain connections proportionate to the nature and scale of the development proposed.

Policy 9 - Brownfield, Vacant and Derelict Land, Empty Buildings - Policy 9 seeks to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development and states that development proposals that will result in the sustainable reuse of brownfield and derelict land will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account. The existing site in this instance, has minimal biodiversity value, however it is considered that biodiversity would be enhanced through landscaping proposals.

Policy 13 - Sustainable Transport - Policy 13 seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. It states that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies. The development proposed increases permeability with the inclusion of designated pedestrian and cycle routes from Old Greenock Road into the site providing more convenient access to the nearby school and other facilities. It has been demonstrated through App ref No: 19/0444/PP, that the development encourages active travel and supports the travel hierarchy at this location.

Policy 14 - Design, Quality and Place - Policy 14 seeks to encourage, promote and facilitate well designed development that makes successful places by applying the Place Principle, taking account of the local context, characteristics and connectivity of the area. In this regard it has been accepted through the approval of App ref No: 19/0444/PP that the consented development reflects the surrounding area where there is a mix of house types in terms of age, size and design, is acceptable for this location and delivers an active street frontage in the redevelopment of a brownfield site. The materials used ties with the surrounding residential area whilst enabling the development to have an individual character.

Policy 15 - Local Living & 20 Minute Neighbourhoods - Policy 15 encourages, promotes and seeks to facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance from their home, preferably by walking, wheeling or cycling or using sustainable transport options. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area. In this regard the development would support local living and would have convenient and sustainable access to a range of existing amenities, recreational facilities, public transport hubs and places of education, all as set out in the statement submitted in support of the application.

Policy 16 - Quality Homes - The intention of Policy 16 is to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities and states that development proposals for new homes on land allocated for

housing in LDP's will be supported. Within the Renfrewshire Local Development Plan 2021, the site is allocated as uncoloured land in the in the Proposals map. LDP Policy P1; Renfrewshire's Places states that within uncoloured areas of the Proposals map, there will be a general presumption in favour of the continuance of the built form. The other aspects of policy 16 The proposal is therefore in compliance with policy 16.

Regarding the appropriate Local Development Plan, Renfrewshire Local Development Plan 2021 is now the adopted Local Development Plan, and its policies and guidance are not markedly different to the policies against which App Ref No: 19/0444/PP was assessed and considered acceptable (Renfrewshire Local Development Plan 2014 & Renfrewshire proposed Local Development Plan 2019). Only one new additional policy relative to developer contributions requires consideration. Policy 18 states that contributions will be sought to address infrastructure capacity, including education, that arise as a direct result of new development. Children's Services (Education) were consulted in respect of this S42 application and have no objection to the proposed development subject to a S75 agreement to secure developer contributions in respect of Park Mains High and Trinity High. In this regard the terms of the Draft Developer Contributions (Education) Planning Guidance requires to be applied. In applying the guidance a financial contribution totalling £162,400 is required and can be broken down as £44,800 in respect of Trinity High School and £117,600 in respect of Park Mains High School.

Therefore, it can be concluded that the proposal complies with the relevant policies and guidance of the Adopted Renfrewshire local Development Plan.

#### Representations

The issues raised through consultation are addressed below.

Objectors have raised concerns regarding the height of the new access road, its proximity to existing dwellings and the potential impacts which could occur regarding safety, privacy and glare. Although the council's roads engineers offered no objection to the access road through their consultation response on application 19/0444/PP being satisfied with its position, design and appropriateness within its surroundings, in discussion with the applicant it has been recognised that these concerns should be addressed. As a result, conditions attached to the grant of the previous consent are proposed to be amended to ensure that privacy, safety and glare are addressed.

Drainage of the application site has also been raised. It should be noted that an additional condition is proposed to ensure that drainage proposals for the site are submitted for the written approval of the planning authority in consultation with Scottish Water, prior to the commencement of development.

Regarding the height of the dwelling houses being too high, it should be noted that the application was assessed against all the relevant considerations of the Development Plan at the time, including heights and separation distances, and found to be acceptable. There are no additional material considerations which would contradict this assessment which remains valid and satisfactory.

Noise during construction is unfortunately inevitable and unavoidable, however, should it prove to be excessive or evident at unacceptable times, Environmental Protection officers can be asked to investigate.

Street lighting is accepted infrastructure within towns and villages and is often seen as a necessity within residential areas.

There is concern that the plans submitted as part of this application do not reflect what has been built on the site. Should this application be granted, it would in effect comprise a new planning consent and development of the site would require to comply with this consent and the stamped approved plans and the new and amended conditions attached. The layout of the development and the dwellings proposed are not affected by any changes to the development plan or other material considerations and therefore remain as originally proposed. The new and amended conditions reflect issues raised by objectors, and seek to ensure that their concerns have been addressed. This will be reflected in the information required to satisfy the requirements of the new and amended conditions.

Finally regarding damage to existing private roads through commercial vehicle activity, this is considered a civil matter between the landowners and those utilising the road in question.

Those in support of the application have welcomed the use of a brownfield site within a residential area and the positive contribution this development would make to this area and its economy.

### **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:

A Section 75 Agreement requires to be concluded to secure financial contributions in respect of Park Mains High School and Trinity High School.

### **Conclusion**

In view of the above, it is considered that the proposal would accord with the relevant provisions of the Development Plan. There are no other material considerations. Planning permission should therefore be granted/granted subject to conditions.

### **Recommendation**

Grant subject to conditions & S75 agreement.

### **Reason(s) for Recommendation**

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.

### **Condition(s)**

1. The development to which this permission relates must be commenced no later than 3 years from the date of the permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.

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 a Remediation Strategy and Implementation Plan identifying the proposed methods for implementing all remedial recommendations contained within the site investigation report all prepared in accordance with current authoritative technical guidance, have been submitted to and approved in writing by Renfrewshire Council as 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 on the site:
  - a) a Verification Report confirming completion of the works specified within the approved Remediation Strategy and Implementation Plan; or
  - b) where remediation works are not required but soils are to be imported to site, a Verification Report confirming imported materials are suitable for use shall be submitted to and approved in writing by Renfrewshire Council as Planning Authority. Verification Reports shall not be submitted on a phased basis unless first agreed in writing with the Planning Authority.

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

4. That before any development on the site commences a scheme of landscaping (incorporating the measures detailed in Drawing No. [GH IR 100.22 SL-01 Rev D] available in Document 2.1) 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) an indication of all existing trees and hedgerows, plus details of those to be retained, and measures for their protection in the course of the development and
  - d) details of the phasing of those works.

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

5. That prior to occupation of the last dwellinghouse within each phase of the development hereby permitted, all planting, seeding turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of condition 4 above for that phase, shall be completed; and any trees, shrubs, or areas of grass which die, are removed, damaged, or diseased within 5 years of the completion of the development, shall be replaced in the next planting season with others of a similar size and species;

Reason: In the interests of amenity.

6. That all external walls and roofs within the development hereby permitted shall be constructed in accordance with the details and using the external finishes and facing materials shown in drawings contained in Drawings No. [A892-W05, A1215-W24, A1215-W34, A1215-W44, A1215-W05, A1215-W14, GHG-NOR-05-ZZ-DR-A-00-1001, A1215-W54] available in Document 2.2.

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

7. That before any dwellinghouse situated in the site upon which a boundary fence and/or wall is to be erected is occupied, the relevant fences and walls shall be erected in accordance with the design details and in the locations shown in Drawing No. [A1215-BT01] available in Document 2.3.

Reason: To safeguard the amenity of future residents.

8. That prior to the commencement of the development hereby approved, a Drainage Impact Assessment shall be submitted and approved by Renfrewshire Council as Planning Authority. The Drainage Impact Assessment shall accord with the 'Council's Drainage Assessment - Notes for Guidance'. Thereafter, the Assessment as approved shall be implemented prior to the completion of the development and maintained

thereafter to the satisfaction of Renfrewshire Council as Planning Authority. For the avoidance of doubt, the Drainage Impact Assessment should include full details of the drainage strategy for the development hereby approved.

Reason: To ensure adequate provision for drainage associated with the development.

9. That prior to any development commencing, full details of the traffic calming measures, crossing point and footway enhancements shall be submitted to, and approved in writing by, the Planning Authority. These should include:
  - a) Provision of suitably retained minimum 1m wide flat shoulder verge to the outside of the new road from Old Greenock Road to Greenhead Farm House with maximum 1 in 2 side slopes in accordance with the Design Manual for Roads and Bridges.
  - b) Details of a strained post and wire fence to BS 1722 along the new curved section of road between Old Greenock Road to Greenhead Farm House to provide an additional temporary vehicle restraint for a period of 3 years or until the hedging matures.
  - c) Details of planting and or screening to prevent headlight glare from passing vehicles to the houses beyond.
  - d) Details of connections to the surface water outfall to a positively drained network leading to a watercourse to the approval of Scottish water. Thereafter the details as approved shall be implemented prior to the occupation of any dwelling.

Reason: In the interests of pedestrian and road safety.

#### **Advisory Note(s)**

None.

#### **Schedule of Plans Determined**

<b>Drawing Number</b>	<b>Revision</b>	<b>Drawing/Document Title</b>
A1215-LP30		Location Plan
GHG-NOR-02-ZZ-DP03		Existing site plan with topographical survey
GHG-NOR-02-ZZ-DP03		Existing site sections
GHG-NOR-02-ZZ-DP04		Proposed site plan
GHG-NOR-02-ZZ-DP05		Phase 1, proposed site, plot 1 to 7
GHG-NOR-02-ZZ-DP04		Phase 2, proposed site, plot 8 to 15
DR-A-90-2001 P04		Proposed site sections
GHG-NOR-02-ZZ-DP04		Floor plans house type 01
GHG-NOR-02-ZZ-DP04		Elevations house type 01
GHG-NOR-02-ZZ-DP03		Floor plan house type 02
GHG-NOR-02-ZZ-DP03		Elevations house type 02
GHG-NOR-02-ZZ-DP03		Floor plans house type 03
GHG-NOR-02-ZZ-DP03		Elevations house type 03
GHG-NOR-02-ZZ-DP03		Floor plans house type 04A
GHG-NOR-02-ZZ-DP04		Elevations house type 04A
GHG-NOR-02-ZZ-DP03		Floor plans house type 04B
GHG-NOR-02-ZZ-DP03		Elevations house type 04B
GHG-NOR-02-ZZ-DP03		Floor plans house type 4C
GHG-NOR-02-ZZ-DP03		Elevations house type 4C
GHG-NOR-02-ZZ-DP03		Floor plans house type 05
GHG-NOR-02-ZZ-DP03		Elevations house type 05
GHG-NOR-02-ZZ-DP03		Floor plans house type 06
GHG-NOR-02-ZZ-DP03		Elevations house type 06

E15-012-VT2		Large refuse vehicle (11m) tracking entrance to site
E15-012-003 Rev B		Access proposals showing visibility splay
E15-012-VT3		Large refuse vehicle tracking exit from site
E15-12-110 Rev A		Road layout

For further information please contact Clare Murray, Development Standards Team, Email: [clare.murray@renfrewshire.gov.uk](mailto:clare.murray@renfrewshire.gov.uk)