

RENFREWSHIRE COUNCIL

Application No: 16/0147/PP

DEVELOPMENT AND HOUSING SERVICES

Regd: 07/03/2016

PLANNING APPLICATION PRE-DETERMINATION HEARING

Applicant

Wallace Land Investments
2 Coates Crescent
Edinburgh
EH3 7AF

Nature of proposals:

Erection of residential development, formation of vehicular access, SUDS, landscaping and associated works

Site:

Land to North West of Kilbarchan Quarry, Branscroft, Kilbarchan, Johnstone

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 ingather 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 the erection of a residential development on land to the north-east of Kilbarchan Park. The site extends to approximately 10 hectares and comprises three parcels of land which will accommodate residential development. Two of the parcels are located south east of Branscroft and between Branscroft and Kilbarchan Quarry with the road to the quarry subdividing the two areas. The third area is located to the north-east of existing residential properties on Branscroft and Park Gardens.

All parts of the site currently comprise agricultural land, bounded by a mix of trees, hedging, fencing and stone walls. The topography of the sites is generally undulating but falls to the north and south from Branscroft. It is indicated that the site can accommodate approximately 150 houses and that vehicular access will be provided from three separate points on Branscroft.

The applicant proposes pedestrian and cycle connections between the site and the existing settlement. The development will be drained by a SUDS system and an indicative layout for these has been provided as part of the application.

The northern part of the site is bounded to the west by existing residential development, to the north by open fields and the east by the A761. The area to the south of Branscroft is bounded by Kilbarchan Park at the west and open fields to the east. Kilbarchan Quarry lies to the south.

History

15/0566/NO - Proposal of Application Notice for the erection of residential development.

15/0932/EO - Request for a screening opinion as to the requirement for an Environmental Impact Assessment for residential development. Environmental Impact Assessment not required 06/01/2016.

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 P1: Renfrewshire's Places

Policy P2: Housing Land Supply

Policy I5: Flooding and Drainage

New Development Supplementary Guidance

Delivering the Places Strategy: Places Development Criteria

Delivering the Environment Strategy: Green Belt; Housing in the Green Belt; Contaminated Land and; Pipelines and Controls of Major Accident Hazards

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 16th March 2016, with a deadline for representations to be received by 6th April 2016.

Objections/Representations

777 letters of objection have been received and the issues raised have been summarised below.

1. As the application site is within the designated green belt, which amongst others aims to protect the setting of towns and villages and prevent urban sprawl, the proposal is contrary to Renfrewshire Local Development Plan.
2. The green belt section of the Council's LDP acknowledges a review of the green belt to 'release the needs and demands of the housing requirements', however the application site remains within the green belt, suggesting the Council acknowledges that the site should remain as green belt and not as housing.
3. There are brownfield sites within the local authority area which could be developed if necessary.
4. The village has a very clear boundary at the moment. This development would impact on this obvious boundary and due to its scale is akin to adding a new, smaller village on to the one which already exists.
5. There are 267 new homes being built at the former Merchiston Hospital and a further 201 new homes proposed for Barochan Road/Bridge of Weir Road.
6. With the new developments at Fordbank in Johnstone, at Scholar's Green in Johnstone, at Shillingworth at Bridge of Weir and Houston, the 267 houses already consented at Merchiston and the 201 houses proposed at Barbusch Farm, the pressure on infrastructure will be immense. This over development of rural Renfrewshire threatens to obliterate the identity of all the rural villages in Renfrewshire.
7. The proposal would destroy the existing village envelope.
8. The development as a whole would have a significantly detrimental visual impact on the conservation area which sits on the village margin, in particular to the unique heritage of the rows of 'B' listed terraced stone weaver's cottages in Gateside Place.
9. The proposal as a whole is overbearing and out of scale with its surroundings.
10. The proposed landscaping suggested pays lip service to the green belt review.
11. The proposal would put pressure on an already failing sewage system and any further strain on the network will exacerbate the problem. At the very least, any new housing development must include alternative sewage disposal systems.
12. The site is partly located within an area susceptible to flooding, and consequently the proposal does not comply with Policy I5.
13. Gateside Place has flooded many times in recent years because the existing drains and culverts cannot cope with prolonged heavy rain. Flooding on the site has not been addressed by the FRA submitted in support of the application.
14. Run off from the site will ultimately result in further pressure being placed on the Combined Sewer Outlet, which does currently malfunction and discharge onto the main street and the resultant increase in raw sewage deposits into the burn as the system in Kilbarchan is a combined sewage / surface water system. It has been clear for some time that the sewage waste water infrastructure serving the village of Kilbarchan is inadequate for the current population, a situation that an increase in dwelling house numbers will make worse.
15. Traffic flow through the village would be increased particularly in the area around Branscroft, on the A 761 and A737. This would be in addition to the extra traffic caused by the infilling of the quarry. The current main thoroughfare can barely cope with present traffic.
16. The traffic management plan committed to by the applicant is unlikely to mitigate traffic levels enough to compensate for a 28% increase on a road regularly reduced to a single lane due to parked cars.
17. The nearest train station (Milliken Park) is a minimum half an hour walk away, does not enjoy a full service, and is unlikely to make a significant impact on numbers travelling by that means. At around 2 miles the station is well outside the acceptable walking distance to a train station of 800m (PAN) 75 which is contrary to the assertion made in the applicants Transport Assessment.
18. Village infrastructure including the school and local medical and dental services would be not be able to accommodate a development of this size. The developer's own education capacity statement using Council projections shows that the school is too small to accommodate all the anticipated children arising from the development. The school will lose its unique computer and art suite if any more pupils attend as well as a special needs area as every area of floor space available will be dedicated to new classrooms.
19. The village requires affordable housing which will not be provided through this development.
20. Concern is raised at the prospect of residential development in such close proximity to the Cemex quarry, which has the prospect of provoking nuisance complaints and adversely affecting the quarry licence to operate and carry out vital restoration operations. There will be a heightened risk of intrusion into the site with health and safety implications. It is claimed that the proposals are premature. There

is a serious potential for conflict with the HGV's using the haul road to the public highway in terms of noise, vibration and dust disturbance. For logistical reasons it is necessary that the entrance gates remain open during permitted hours of operation as HGV's come and go from the site. It is claimed that this would not be possible if the development were to proceed because of the risk of children straying into the site.

21. The determination of the application should be delayed until the applicant can produce a construction noise assessment, or the application refused due to lack of information.

22. Part of the application site sits hard against an Outstanding Conservation Area and would have a negative impact upon that area, upon the skyline in that area and would change the entrance to the village in a negative manner.

23. The proposal will unacceptably impact upon the outlook and privacy currently enjoyed by many homes which back/front onto the development and the Council should consider its responsibilities under the Human Rights Act, particularly Protocol 1, Article 1 and Article 8.

24. Air Quality will be affected as the area already suffers emissions from the increasing number of aircraft leaving Glasgow Airport. Additional cars will further exacerbate this problem.

25. The proposed development only indicates family homes and not a percentage of affordable homes or single storey style to accommodate an older population wishing to downsize.

Consultations

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

The Director of Community Resources (Design Services) - A full Flood Risk Assessment (FRA) is required to cover full detailed analysis of flood risk from all sources, in particular with regard to modelled fluvial flows from the unnamed watercourse, fluvial flows from higher ground to the site, including via new access points to the site and taking cognisance of the Scottish Water Connections response to the Pre Development enquiry/Scottish Water Developer Assessment need. Of particular note will be the means of managing attenuated existing gully flows from a length of Park View which are proposed to discharge via SUDS to the unnamed watercourse discharging through Brookfield which is currently a sensitive area to such flood risk. Such existing gully flows, albeit un-attenuated, flow through Kilbarchan's combined sewerage network at the moment; such flows will increase with a resultant unacceptable risk to a new catchment (Brookfield), albeit reducing combined flows in the sensitive Kilbarchan catchment. The south west corner of the site (approx. 1.75 ha) has not been subject to an initial drainage strategy nor the detail to support an application. The land immediately adjacent to the south west of this area is currently a sensitive area for existing flood risk management. A source of potential flood is omitted from the Stage 1 FRA. Such sources of risk require to be assessed within the required FRA. In relation to drainage specifically, calculations to support green field runoff values, attenuation and treatment volume sizing/location/land take are required as part of the outstanding DIA package. It is concluded that both the FRA and DIA are required to demonstrate that flood risk can be adequately managed, prior to a decision on the application.

The Director of Community Resources (Environmental Services) - States that the proposed development will result in the introduction of a noise sensitive development to an area affected by noise from the nearby Bridge of Weir Road (A761), Branscroft and the access road to Kilbarchan Quarry. It is recommended that the application is not determined until the applicant submits to, and has approved by the Planning Authority, a noise assessment to determine the impact of noise sources on the development. It is further stated that the development will result in the introduction of a noise sensitive development to an area affected by noise from nearby Kilbarchan Quarry. It is recommended that the application is not determined until the applicant submits to, and has approved by the Planning Authority a noise assessment to determine the impact of this noise source on the development. Conditions should also be imposed in relation to the submission of a site investigation report, remediation strategy or method statement and verification reports.

Director of Education - Any development would seriously impact on the accommodation and provision of curricular and social spaces within primary catchment schools. It is anticipated that both High Schools would be able to accommodate numbers.

The Coal Authority - No response to date.

West of Scotland Archaeology Service - Although archaeological features have been identified outwith the application site, these demonstrate the potential of the area to produce significant sub surface deposits. It is recommended that a condition be placed on any consent granted requiring that no development is undertaken until the developer has implemented a programme of archaeological works in accordance with a written scheme of investigation, to be approved by the West of Scotland Archaeology Service and the Planning Authority.

West of Scotland Water - No response

Kilbarchan Community Council - Object to the proposal as development of the site is contrary to the adopted Renfrewshire Council Local Development Plan on the grounds that it lies within the green belt, that the proposed housing would not maintain or enhance landscape character, that there is inadequate supporting infrastructure in respect of education and sewage provision, impact on habitat, loss of agricultural land, that the site defines the north east edge of Kilbarchan, inadequate access and impact on road safety and the cumulative impacts of proposed housing within the green belt in Kilbarchan and neighbouring villages.

Brookfield Community Council - Object to the proposal as development of the site is contrary to the adopted Renfrewshire Local Development Plan as the site is within designated green belt. The junction where Branscroft meets the A761 Bridge of Weir Road is dangerous and there are no improvements proposed as part of this application. The A761 will be inadequate to deal with the increase in traffic which this proposal will generate along with other residential proposals in the area. Existing drainage, sewerage and water infrastructure and school provision is inadequate to deal with this development and the others which are/may be proposed in the surrounding area.

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 on the basis of no significant long term impacts on the environment having had regard to the characteristics of the development, the location of the development, and the characteristics of the potential impact.

Appropriate Assessment - N/A

Design Statement & Access Statement - The applicant states that the new development provides the potential to complete the eastern edge of Kilbarchan utilising existing landscape features, enhancing the Barrhill Woods and extending the existing local park. It is claimed that there is potential to integrate footpaths from the proposed development into the existing settlement providing pedestrian links to the existing core path network. The report suggests that the design of the new development presents a vision which is legible, permeable and well integrated and will provide a broad range of much needed family homes.

Other Assessments

Pre-Application Consultation Report - Outlines the process which has been undertaken and confirms that pre-application consultation set out by statute, including a public exhibition, was satisfied. It states that 248 people registered their attendance and feedback forms completed and returned by 160 people. The majority of responses received were objecting to the principle and other effects of the proposal including suitability of the road network, absence of public transport, traffic conflicts between development and quarry, existing flooding issues, lack of affordable housing, transport, loss of village identity and impact on wildlife. The applicant states that where possible the application recognises and responds to the points raised.

Transport Assessment - The applicant states that it is intended that three main access points will be provided onto Branscroft to provide access to the three elements of the development site. All three access points are to take the form of standard priority junctions and it is intended that the existing

30mph limit is extended back to the junction with the A761 Bridge of Weir Road. It is stated that the potential would also exist to extend the advisory 20mph to the north east of its existing location to encompass the extents of the site. The applicant claims that the traffic impact assessment has demonstrated that the development proposals can be safely accommodated on the local road network with no impact on the existing road infrastructure or junctions.

Flood Risk Assessment - The applicant states that a review of Scottish Water records indicate no existing surface water sewers within the vicinity of the site and that existing surface water drainage on Park View and the eastern section of Branscroft drains to the existing combined sewer within the carriageway. A small unnamed watercourse enters the site at the north-west and traverses east across the site, before entering a culvert below Branscroft. Assessment of the SEPA flood maps indicate minor pluvial flooding along the unnamed watercourse and also at the low lying area to the south east, along the site boundary. A Stage 1 Flood Risk Assessment concluded that the pluvial flooding requires to be considered within the design of the development and a Stage 2 report undertaken, although it is concluded that flooding does not pose a risk to the site. Foul catchment for the site has been assessed with a view to providing a gravity connection where possible, however, this is only possible for the south west area with the remaining areas requiring separate pump stations due to site levels. The applicants initial consultation with Scottish Water has indicated likely constraints, regarding flooding in the existing network and as such the applicant proposes to remove surface water flows from the combined network. This will involve constructing a new surface water sewer within Branscroft/ Park View which will drain into a detention basin. This, it is suggested, should provide capacity for the foul discharge from the development and provide betterment to the existing network.

Initial Geotechnical, Mining & Environmental Appraisal - In relation to ground conditions the applicant states that the site is located in an area of known previous mining activity although the possibility of future exploitation is considered to be unlikely. Records indicate the presence of abandoned mine workings which are likely to be present beneath the southern section of the site. With regard to chemical contamination and gas emissions it is stated that due to the historical agricultural use of the site, any significant chemical contamination is unlikely. The site is adjacent to a quarry and there is potential that ground gases could migrate towards the site and further investigation is required. It is stated that the site may be within a designated 'radon affected area' and therefore further assessment of risk should be undertaken.

Planning Statement - The applicant states that the Strategic Development Plan establishes that where housing land supply needs to be augmented, priority should be given to bringing forward for earlier development any sites which have been allocated in the Local Development Plan for construction in the period 2020 to 2025. It claims that the LDP Examination considered this and concluded that there was no scope to reduce the shortfall from these sources and that the Councils Housing land supply Supplementary Guidance establishes the Council view that the 5 year shortfall of land to 2020 was, at the point of writing the SG, for 755 houses.

The applicant submits that it has been clearly demonstrated that the application site is sustainable and effective and that approximately 150 houses can be delivered by 2019//20 to make a meaningful contribution towards meeting the shortfall in housing land which is recognised through the LDP Examination Report and in both the adopted LDP and the Housing Land Supply Supplementary Guidance. It considers that the site is effective relative to the tests set out in PAN 2/2010. It is considered that the proposal satisfies the criteria and requirements in Diagrams 3 and 4 and Strategy Support Measure 10 of the Strategic Development Plan and accords with the Spatial Strategy set out in the LDP as well as the requirements of the relevant policies. It is claimed that educational capacity can accommodate the development of 150 houses on the site on a phased basis from 2017 to 2020.

Walkover Ecology Survey - The applicant states that on the basis of the walkover survey and data collation the only material planning consideration are bats and an in-season survey is recommended if any of the trees with bat roost features are to be removed. Depending on the commencement of development it may be appropriate to repeat a badger survey as their status can change in a very short period.

Landscape and Visual Assessment - The applicant states that an assessment of likely visual effects has been made from publicly accessible vantage points and public viewpoints. It is acknowledged that

from collective residential public places more viewers were likely to be affected, thereby adding to the significance of the impact in those locations. Within the wider landscape area there are 2 Sites of Special Scientific Interest (SSSI) however these are located at a distance of 4km (Barmufflock Dam) and 2km (Whinneston) to the west of the application site with the Clyde Muirshiel park (4km) to the southwest. The applicant states that the application site is not visible from these areas. Generally the residential development will introduce change to receptors in close proximity to the site where the resulting change of land use from agricultural setting to a residential urban character will impact on the existing view. These receptors are restricted mainly to vehicular traffic along Branscroft, residential properties located adjacent to the development site and by users of Kilbarchan Park. Within the wider landscape this sensitivity is reduced due to local intervening elements which gain views of the site resulting in a minor to moderate magnitude of change as the development would not be a noticeable element within the view. The applicant states that comprehensive landscape proposals will be an integral part of a more detailed residential layout and general structural landscape principles will be proposed to both minimise and reduce landscape and visual effects.

Tree Survey - The applicant states that the line of large, mature and over mature beech, ash, oak and common lime trees along the north edge of Branscroft contains four trees which are in poor condition and need to be removed for safety reasons. Due to the age and size of the remainder they will need substantial protection zones to allow for their retention within any proposed development. The small group of 4 mature trees immediately to the south of the burn within the northern parcel contains two beech trees in relatively poor condition which are not suitable for retention within a development unless substantial separation can be maintained. The woodland copse at the eastern end of the northern area, adjacent to Bridge of Weir Road has very steep slopes. There are no trees of particular merit at this location however the group as a whole is prominent as a roadside feature. The woodland along the southern boundary with the quarry area is not a particular constraint to development and normal rear gardens would provide sufficient space to avoid root disturbance. A tree protection plan is recommended.

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

16/0147/PP

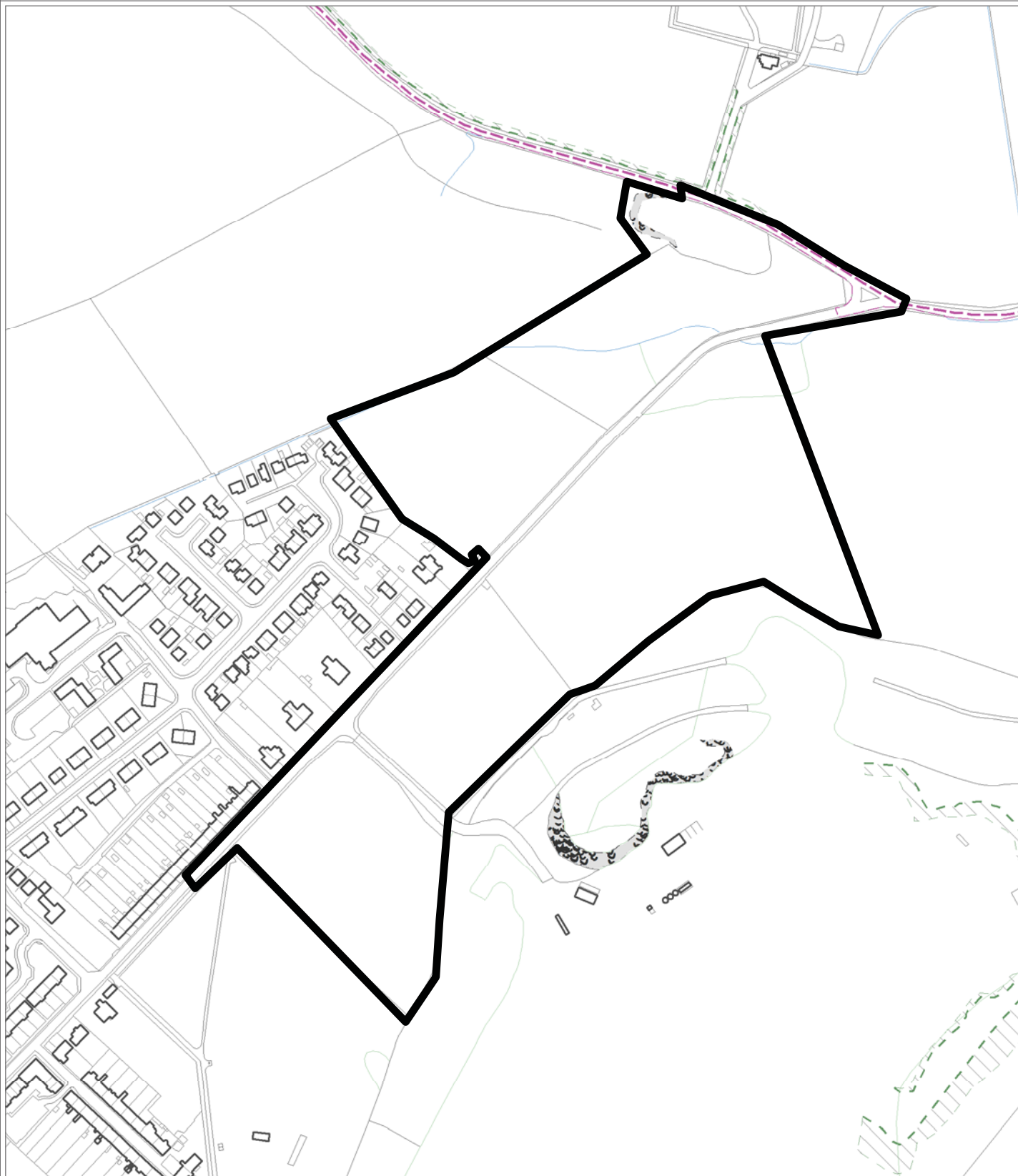
*Land to North West of Kilbarchan Quarry,
Branscroft, Kilbarchan, Johnstone*



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Date: 09/05/2016



Notes:
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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.