

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts to be considered by Planning Applications Committee on
11th February 2015.

Reference No: 2014/0772/TP

Ward: 1

Applicant:

Mr and Mrs A Devine
The Firs
42 Stewarton Road
Newton Mearns
East Renfrewshire
G77 6NP

Agent:

GVA James Barr
Mr. Alex Mitchell
206 St Vincent Street
Glasgow
G2 5SG

Site: The Firs 42 Stewarton Road Newton Mearns East Renfrewshire G77 6NP

Description: Erection of 18 flats with associated parking (renewal of previous planning permission 2010/0191/TP)

Reference No: 2014/0786/TP

Ward: 2

Applicant:

Mrs. Suman Kaur
28 Arthurlie Avenue
Barrhead
East Renfrewshire
G78 2JD

Agent:

Mr. David Jarvie
27 Aytoun Road
Pollokshields
Glasgow
G41 5HW

Site: 28 Arthurlie Avenue Barrhead East Renfrewshire G78 2JD

Description: Change of use from retail premises to hot food take away with installation of extract flue at rear and formation of parking spaces at front

Reference No: 2014/0818/TP

Ward: 3

Applicant:

Mr Grant Sergeant
16 Forres Gate
Giffnock
East Renfrewshire
G46 6NT

Agent:

Site: 16 Forres Gate Giffnock East Renfrewshire G46 6NT

Description: Conversion of part of integral garage to form hair salon with installation of window in place of garage door and installation of door on side elevation

REPORT OF HANDLING

Reference: 2014/0772/TP

Date Registered: 28th November 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 Neilston Newton Mearns North Uplawmoor

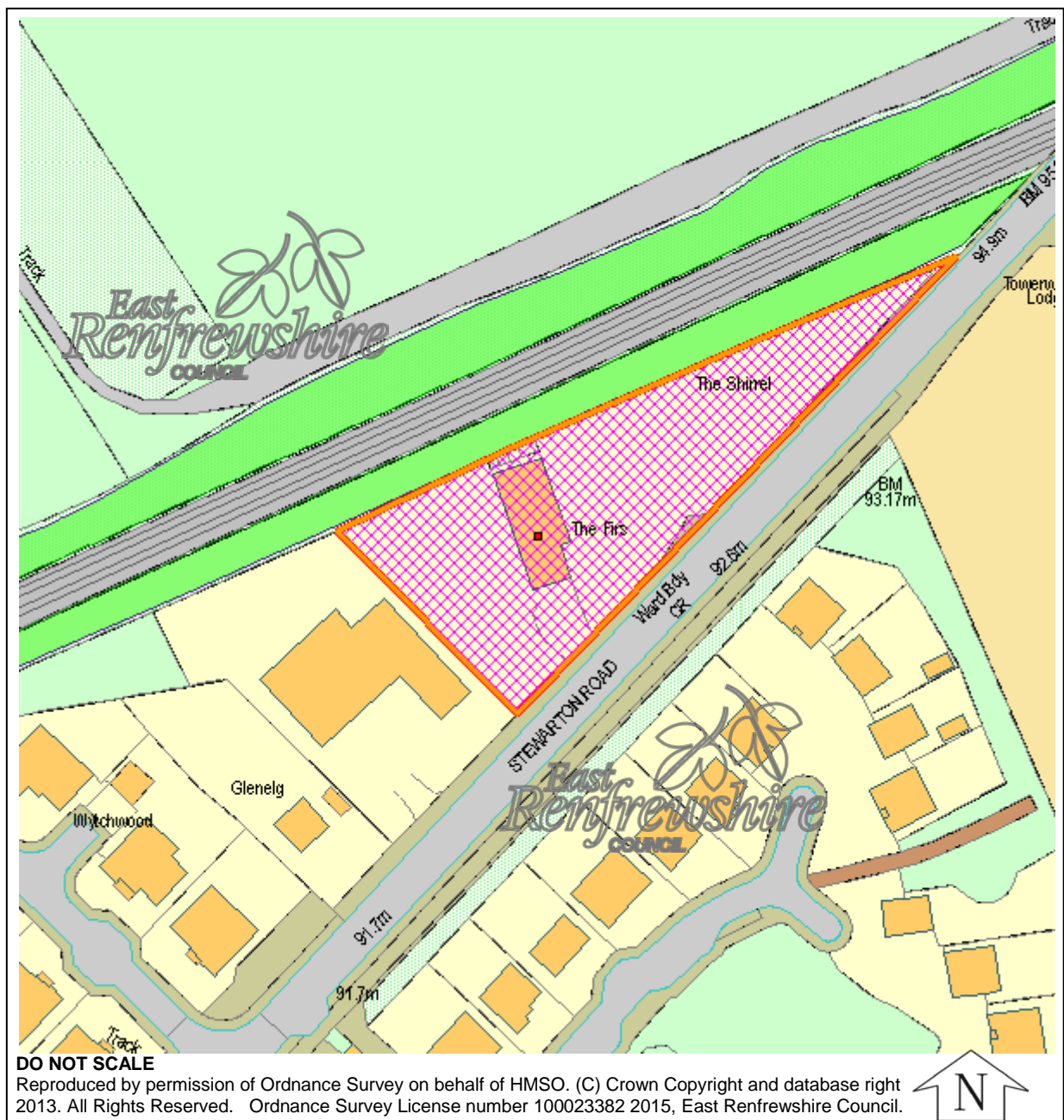
Co-ordinates: 253427/657583

Applicant/Agent: Applicant:
Mr and Mrs A Devine
The Firs
42 Stewarton Road
Newton Mearns
G77 6NP

Agent:
GVA James Barr
Mr. Alex Mitchell
206 St Vincent Street
Glasgow
G2 5SG

Proposal: Erection of 18 flats with associated parking (renewal of previous planning permission 2010/0191/TP)

Location: The Firs, 42 Stewarton Road, Newton Mearns, G77 6NP



CONSULTATIONS/COMMENTS:

Scottish Water	No response at time of writing
East Renfrewshire Council Affordable Housing and Development Contributions Officer	No objections subject to the conclusion of an amendment to the legal agreement to secure the provision of an appropriate affordable housing contribution.
East Renfrewshire Council Roads And Transportation Service	No objections subject to conditions
Network Rail	No objections subject to advisory notes

PUBLICITY:

19.12.2014 Glasgow and Southside Extra Expiry date 02.01.2015

SITE NOTICES: None.

SITE HISTORY:

2003/0435/TP	Erection of single storey rear extension	Approved subject to conditions	30.07.2003
2004/1070/TP	Erection of single storey side extension	Approved subject to conditions	16.02.2005
2010/0191/TP	Erection of 18 flats with associated parking	Approved subject to conditions	06.02.2012

REPRESENTATIONS:

A total of 15 representations have been received:

Representations can be generally summarised as follows:

Overlooking /loss of privacy/height
Flats not in keeping with area
Removal of trees/impact on wildlife
Overdevelopment
Increase in traffic on Stewarton Road
Vehicular /pedestrian safety
Safety issues/proximity to railway line
Overshadowing
Increase in noise/construction disturbance
Potential flooding
Impact on property values
No prior knowledge

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

No reports have been submitted for consideration as part of this application.

ASSESSMENT:

The application is a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However, as more than 10 objections

have been received, the application has to be presented to the Planning Applications Committee for determination.

The site is located on the north side of Stewarton Road and is on the periphery of the built up area of Newton Mearns. The site abuts the railway line to the north and east, a large house to the west and is opposite new planned estates of mixed house types, including flats. The site is triangular in shape, approximately 0.3ha in area, and the existing property is a large detached house which has been altered and extended over the years. There are a number of mature trees within the site which are not protected by a Tree Preservation Order.

Planning permission was granted under 2010/0191/TP on 6th February 2012 for the erection of 18 flats and there is an associated Section 75 Legal Agreement to secure an affordable housing contribution. Development has not started on the aforementioned planning permission and the current application is to extend the lifetime of the planning permission for another three years.

In terms of the development it is proposed to demolish the house and erect 18 flats contained within two blocks comprising 2 and 3 bedroom units. Each block would be three storeys high and contemporary in design with a flat roof, recessed balconies and a mix of external finishes e.g. facing brick, render and timber effect cladding with colour coated aluminium window frames. The access road would separate the two blocks and would serve 38 car parking spaces and bin stores. A new 2m wide footway is to be formed along part of the frontage of the site.

The site is within the General Urban Area as identified in the adopted East Renfrewshire Local Plan. The house is not of historic value and redevelopment of house plots has already occurred at other sites nearby on Stewarton Road. Consequently the principle of demolition and redevelopment of the site with 18 flats has been accepted at this location.

The area currently displays a variety of built forms and a mixture of traditional and modern house types. When the previous application was under consideration, the site on the opposite of Stewarton Road was already identified for housing development and this formed part of the assessment of that application. Since the submission of the previous application the area has been built out and there are now new flat developments at Heather Wynd to the south-west of the application site and at Foxglove Road to the north-east of the application site. There are therefore no issues with the principle of a flat development at the application site in planning policy terms.

The proposed development, as previously stated, comprises two blocks of three storey flats. The blocks are of contemporary design and finishes which will compliment rather than detract from the more traditional styles, both new and old in the area. The two blocks will be situated forward of the building line of the neighbouring property. The blocks would have a staggered frontage and the area displays a variety of setbacks and orientations to the road. Notwithstanding that the blocks will be three storeys, the flat roof design lessens the overall visual impact of the blocks and from the information supplied the ridge height is comparable with the modern two storey houses nearby. The development would not be readily visible on the approaches to the site along Stewarton Road from Patterson Roundabout because of the topography. The development would become evident when reaching the crest in the road over the railway line. On the approaches to the site from the other direction, the development would be viewed in the context of a variety of development types and designs along this part of Stewarton Road. It is considered that the development would not be visually prominent or visually dominant at this location. It is considered that the proposal would not have a detrimental impact on the character of the area because the developments that have been approved in the vicinity are varied and this also applies to the existing dwellings close to the site. On the west gable, the windows are high level, thereby preventing excessive overlooking of the neighbouring property to the south. Properties on Stewarton Road are, due to the topography of the area, situated slightly higher than those on the opposite side of Stewarton Road.

It should be noted that the design and layout of the proposed flats was assessed in the determination of the previous planning application and considered to be acceptable.

Since the previous planning application was submitted the housing site on the opposite side of the road has been developed with two storey detached houses backing onto Stewarton Road. While there will inevitably be a degree of overlooking to and from the application site the separation distance between the existing and proposed development is in excess of 30m and across a public road. It is not considered that such overlooking would be significant.

As the application site is on the north side of Stewarton Road, new housing on the opposite side of the road at Thistle Avenue will not be significantly affected by overshadowing.

The development accords with the open space requirements set out on the adopted Local Plan and proposed Local Development Plan and an appropriate number of car parking spaces can be provided. The proposed development does not, therefore, constitute overdevelopment of the site.

The Council's Roads Service has not objected to the proposal and, as such, concerns regarding the traffic and public safety issues cannot be supported.

The site is not within an identified flood risk area and subject to conditions, the Roads Service has not raised any issues this respect. Although Scottish Water has not responded to the consultation request they did not object to the previous application.

Satisfactory details had been submitted with the original application with regard to measures to prevent potential noise nuisance to the development from the adjacent railway line. There will inevitably be some noise and disturbance during construction works and any complaints in this respect would be investigated separately by the Councils Community Wardens and/or Environmental Health Service.

Network Rail has not objected to the application. The developer will be required to satisfy separately the requirements of Network Rail with regard to construction adjacent to their operational land.

As previously stated, trees within the site are not protected by a Tree Preservation Order. The current consent neither restricts nor limits tree works within the site and there would be no justification to change that situation. Replacement trees would be considered under the terms of a planning condition regarding landscaping works.

The application proposal will continue to be subject to affordable housing provision and will require a new Section 75 Agreement in the same style as the one currently in force.

In terms of material considerations, the proposed Local Development Plan represents the current Council position in respect of the consideration of development proposals. In this instance the relevant policy is SG1 which supports housing developments on sites listed under Schedule 8. The application site is listed under SG1.41 with a capacity of 18 flats. Consequently the proposed development accords with the proposed Local Development Plan.

In terms of the grounds of objection not already covered in the assessment, it should be noted that impact on property values is not a material planning consideration. The onus is on prospective purchasers to commission a property enquiry and check with the Planning Authority regarding, for example, current or future development proposals in the vicinity.

In conclusion, there are no development plan issues with the extension of the lifetime of the planning permission subject to the same/similar conditions as 2010/0191/TP. There are no material considerations which would justify setting aside the development plan and refusing the application. There remains a requirement for a Section 75 Agreement relating to affordable housing and as such a new agreement will be required relating to the new application.

RECOMMENDATION: Disposed to grant subject to the satisfactory conclusion of an agreement under the terms of Section 75 of The Town and Country Planning (Scotland) Act in relation to affordable housing.

PLANNING OBLIGATIONS: Section 75 Agreement under the terms of section 75 of The Town and Country Planning (Scotland) Act relating to Affordable Housing.

CONDITIONS:

1. Development shall not commence on site until a comprehensive site investigation has been submitted and approved in writing by the Head of Environment (Property, Planning and Regeneration). If any contamination hazard and/or pollutant linkages are identified, a site specific risk assessment must be undertaken and no works other than investigative works shall be carried out without the prior written approval of the remediation plan by the Head of Property Planning and Regeneration

Reason: In the interests of public health and to protect users of the development and the wider environment from the effects of contamination.

2. Development shall not commence until details of the proposed bin stores have been submitted and agreed in writing of the Head of Environment (Property, Planning and Regeneration). Thereafter the bin stores shall be implemented as agreed and retained in perpetuity.

Reason: To ensure that the bin stores are of a size able to accommodate East Renfrewshire's recycling facilities and are acceptable in appearance.

3. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable.

4. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable.

5. Development shall not commence until details and location of a vehicle restraint system to the rear of the parking bays along the north boundary adjacent to the railway line has been submitted and agreed in writing by the Head of Environment (Property, Planning and Regeneration). Thereafter, the system shall be implemented as agreed and retained in perpetuity.

Reason: In the interests of public safety.

6. Development shall not commence until a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Details of the scheme shall include (as appropriate):-

- i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
- ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;
- iii) Other structures such as street furniture and play equipment;
- iv) Details of the phasing of the landscaping works;
- v) Proposed levels; and
- vi) Schedule of maintenance.

Thereafter the landscaping works shall be implemented as approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environmental quality of the development.

7. The development shall be landscaped in accordance with the approved scheme as follows:-

a) Completion of the scheme during the first planting season following the completion of the buildings or in compliance with the phasing programme agreed to comply with Condition 6 above.

b) Maintenance of the landscaped area for a period of five years. Any trees, shrubs or areas of grass which die, are removed, damaged or diseased within 5 years of the completion of the landscaping shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environmental quality of the development.

8. The parking spaces shown on the submitted layout plan shall be constructed, surfaced and delineated on the site in all respects before the development hereby permitted is brought into use.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

9. Notwithstanding the details shown on drawing P107B a 2 metre wide footway shall be provided along the entire frontage of the site. Amended drawings showing this footway shall be submitted within 2 months of the date of this consent for the further approval in writing of the Head of Environment (Property, Planning and Regeneration). Thereafter the agreed footway shall be formed prior to the occupation of any of the development

Reason: In the interests of public safety

ADDITIONAL NOTES:

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Standards approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

The applicant is advised to contact Scottish Water, Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, prior to commencing any works on site.

The applicant is required to apply to SEPA for a Waste Carriers Licence.

The Developer is required to consult with East Renfrewshire Council's Development Plans Section on 0141 577 8542 on proposed street naming and numbering at an early stage in the development.

East Renfrewshire Council Roads Service should be consulted regarding a Road Opening Permit for service connections and footway crossover.

Waste materials arising from the demolition on site shall be disposed of to a licensed waste management facility or to a landfill site in accordance with the Waste Management Regulations 1994 (as amended) and the Special Waste Regulations 1996.

There should be no burning on site

No activities in connection with construction (including deliveries and offloading) which are liable to cause disturbance to occupiers of nearby residential properties shall be carried out before 0800hrs or after 1900hrs Monday to Friday, prior to 0800hrs or after 1300 hrs Saturday with no such activities on Sundays.

ADDED VALUE:

A legal agreement is required to secure essential aspects of the development and to ensure the proposal complies with the Council's Local Plan policies.

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Plan policies.

BACKGROUND PAPERS:

Any background papers referred to in this report can be viewed at www.ercplanning.eastrenfrewshire.gov.uk/eplanning, where you can enter the Reference Number listed below. Any further information can be obtained from Ms Alison Mitchell on 0141 577 3117.

Ref. No.: 2014/0772/TP
(ALMI)

DATE: 4th February 2015

DIRECTOR OF ENVIRONMENT

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

East Renfrewshire Local Plan (Adopted 14th February 2011)

Policy E1

General Urban Areas

Within the general urban area, as shown on the Proposals Map, there will be a presumption against significant new development or change of use not compatible with the character and amenity of the locality and its surrounding land uses.

Policy L4

Open Space Provision in New Developments

All new development should incorporate or have satisfactory access to appropriate open space and landscaping and may also be required to include other leisure and recreation facilities appropriate to the scale and nature of the proposal. (Guidance on the provision of open space in new development is detailed in Appendix 1).

Policy DM1

Detailed Guidance for all Development

Where the principle of development is deemed to be acceptable in terms of the other Policies contained within this

Local Plan, proposals for development will require to conform to the appropriate criteria below:

1. Not result in a significant loss of character or amenity to the surrounding area.
2. Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials.
3. Not constitute backland development without a road frontage.
4. Not impact adversely on the landscape character, involve a significant loss of trees or other Important landscape, greenspace or biodiversity features (see Policies E3 - "Protection of Natural Features", E6 - "Biodiversity" L1 - "Protection of Important Urban Greenspace", and L2- "Safeguarding the Local Greenspace Resource".
5. Ensure that landscaping is an integral element in layout design, taking account of existing physical features (e.g. trees, hedgerows, walls, etc.). Where appropriate, tree planting should augment the amenity and appearance of the site.
6. Ensure that the standards for 'Open Space' are satisfied see Policy L4 - "Open Space Provision in New Developments" and Appendix 1).
7. Meet the parking and access requirements of the Council and provide Appropriate mitigation to minimise the impact of new development (see Policies T3 - "New Transport Infrastructure" and T5 -"Other Traffic Management and Calming Measures).
8. Not prejudice the amenity of neighbouring properties by unreasonably restricting sunlight or privacy.
9. Seek to create safe and secure environments and reduce the scope for anti-social behaviour and fear of crime.
10. Be designed to meet disability needs and include provision for disabled access within public areas.
11. Minimise the extent of light pollution caused by street and communal lighting and any flood lighting forming part of, or associated with, development.
12. Be designed to include provision for the recycling, storage, Collection and composting of waste materials.
13. Be designed to retain on-site, for use as part of the development, as much as possible of all waste material arising from construction of the development.
14. Be designed where applicable to take into account the legacy of former mining activity.

Policy H3

Affordable Housing

Throughout East Renfrewshire, where Planning Permission is sought for residential developments of 4 or more dwellings, the Council will require provision to be made for a minimum 25% Affordable Housing contribution. The requirements of this policy will apply to proposals for conversion of buildings to residential use.

This policy does not apply to sites with extant detailed Planning Permission for residential development granted before the approval of the Council's 2006 Supplementary Planning Policy Guidance (SPPG) on Affordable Housing. Furthermore, this policy will not apply in situations where an extant Planning Permission for residential development is renewed or revised, provided that the renewal or revision is not for an increased number of units. Where an increase in numbers is proposed this policy will apply to the difference in number of units applied for. The requirements of this policy will apply in full in circumstances where a Planning Permission granted prior to 19th January 2006, has lapsed.

The Council favours on-site provision whereby serviced and accessible land within a housing development, capable of accommodating a minimum of 25% affordable dwellings, is transferred or sold to a the Council or a RSL for development, or where the developer provides a minimum 25% affordable dwellings on-site. Off-site provision, whereby suitable land capable of accommodating a minimum 25% affordable dwellings in the same Housing Market Area is transferred to the Council or a RSL or where the developer provides a minimum 25% affordable dwellings on that site, will only be acceptable in exceptional circumstances. The onus will be on the developer to justify the omission of on-site provision and to guarantee the delivery of off-site provision within a timescale agreed with the Council. The payment of a commuted sum in lieu of site provision will only be acceptable in very exceptional circumstances where it can be justified to the Council's satisfaction that neither on-site nor off-site provision can be delivered. All Affordable Housing Contributions will be valued in accordance with PAN 2/2010 "Affordable Housing and Housing land Audits".

The Council considers that affordable housing should remain affordable as long as there is an identified housing need.

The following types of affordable housing are supported by the council:

1. Social rented housing
2. Shared equity/shared ownership housing
3. Discounted low cost housing
4. Housing without subsidy
5. Private below market rent housing

Whilst these are listed in order of the council's priority preference, provision should be tailored to local circumstances as informed by the local housing strategy.

A reduced contribution or alternative to on site provision will only be considered favourably where the policy requirement is demonstrated to threaten the viability of the development due to:

- (i) the small scale of the proposal (where less than 20 houses) or
- (ii) exceptional development costs resulting from unusual site constraints such as decontamination, reclamation requirements or access difficulties.

Exemptions to the requirement for a minimum 25% Affordable Housing may be acceptable where higher components of owner occupied housing may be required to:

- * improve tenure choice; or
- * facilitate the regeneration of Barrhead.

All proposals will require to comply with Policy DM1 - "Detailed Guidance for all Development" Policy Strat2 - "Assessment of Development Proposals", and the open space standards for residential development referred to in Policy L4 - "Open Space Provision in New Developments", expanded upon in Appendix 1.

More detailed information and guidance is provided in the Council's Supplementary Planning Policy Guidance (SPPG) on Affordable Housing (March 2006) and any replacement Supplementary Planning Guidance.

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) outlines the Council's most up to date statement of planning policy. The LDP has been examined by the Scottish Government and the Examination Report has been published.

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, water management, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. As much as possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;

14. Development should enhance the opportunity for and access to sustainable transportation, particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.

Policy D2 General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Proposed Plan.

Policy SG1 Housing Supply

The Council has identified sufficient land for a minimum of 4100 homes and associated infrastructure to be delivered in East Renfrewshire between 2009 and 2025 to comply with the Strategic Development Plan requirements. Sites listed under Schedules 8 to 11 (including past completions 2008/09-2012) will contribute towards meeting these targets.

The land supply will be monitored annually through the Housing Land Audit, Housing Trajectory and the Action Programme. At all times a 5 year continuous effective land supply will be maintained.

The Council will support housing development on the established housing sites as shown on the Proposals Map and listed under Schedule 8. All proposals will require to comply with the terms of Policy SG5 Affordable Housing and Strategic Policy 3.

Sites listed under Schedule 9 and as shown on the Proposals Map are allocated exclusively for affordable housing, including housing for particular needs. Proposals for private housing on these sites will not be supported.

Policy SG5 Affordable Housing

Throughout East Renfrewshire, where planning permission is sought for residential developments of 4 or more dwellings, including conversions, the council will require provision to be made for a minimum 25% affordable housing contribution. This contribution may be made on site; or by means of a commuted sum payment; or off site. The affordable housing should be well integrated into the overall development. For all proposals viability will be a key consideration when determining the suitable level of contributions. All proposals will require to comply with Strategic Policy 2 and Policy D1.

Further detailed information and guidance is provided in the Affordable Housing Supplementary Planning Guidance.

Policy D7 Green Infrastructure and Open Space Provision within New Development

New development proposals should incorporate a range of green infrastructure including open space provision, multi use access, sustainable urban drainage and landscaping. This infrastructure should not only form an integral part of the proposed scheme but should complement its surrounding environment.

Further detailed information and guidance is set out in the Green Network Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on the Delivery of New Homes indicates the planning system should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times; enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

REPORT OF HANDLING

Reference: 2014/0786/TP

Date Registered: 5th December 2014

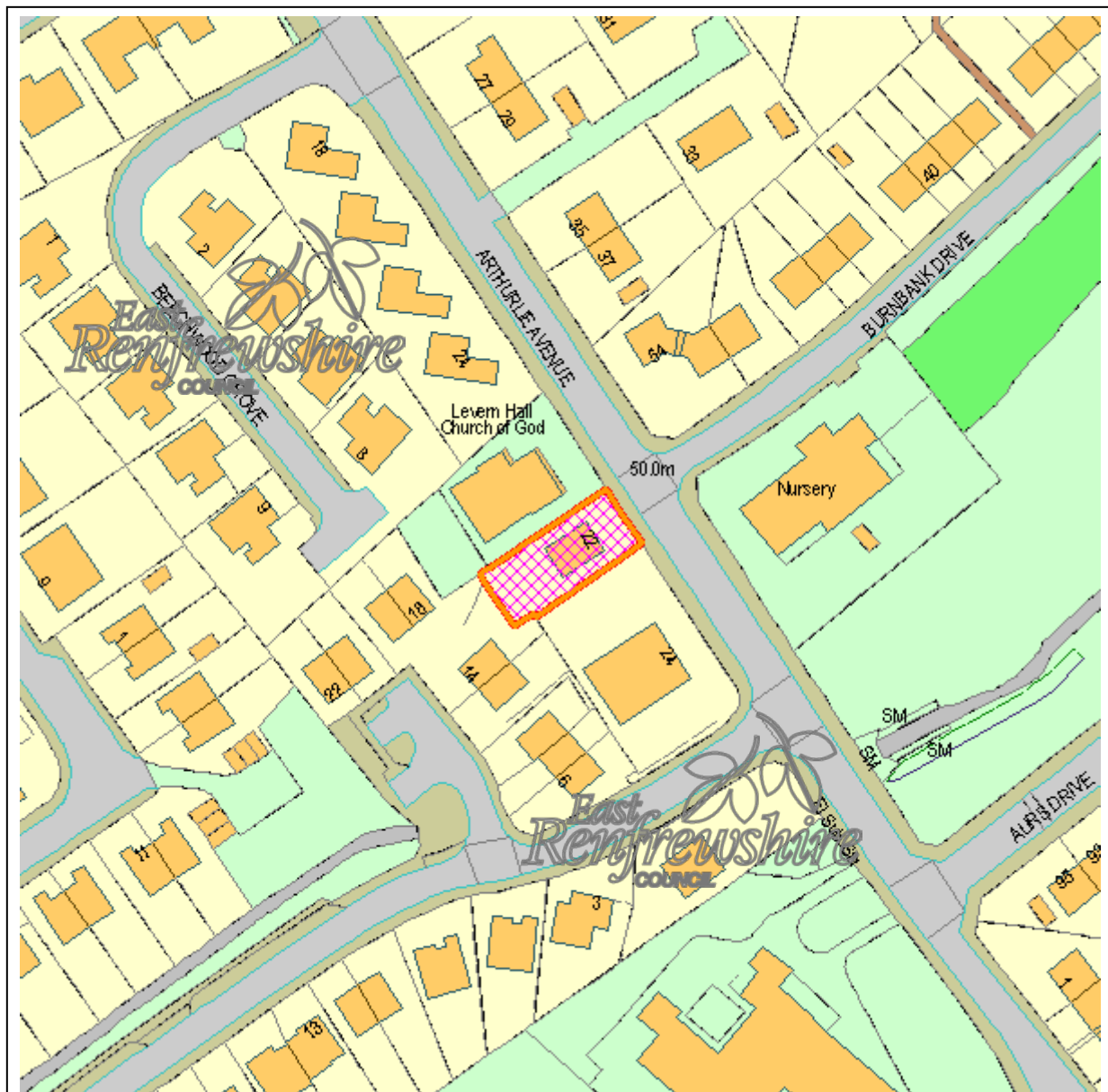
Application Type: Full Planning Permission

This application is a Local Development

Ward: 2 -Barrhead
Co-ordinates: 250395/:658337
Applicant/Agent: Applicant:
Mrs. Suman Kaur
28 Arthurlie Avenue
Barrhead
East Renfrewshire
G78 2JD

Agent:
Mr. David Jarvie
27 Aytoun Road
Pollokshields
Glasgow
G41 5HW

Proposal: Change of use from retail premises to hot food take away with installation of extract flue at rear and formation of parking spaces at front
Location: 28 Arthurlie Avenue, Barrhead, G78 2JD



DO NOT SCALE

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads and Transportation Service
 Recommends refusal as the proposal does not meet the requirements for off-street parking and location of the parking spaces would result in potentially dangerous manoeuvres.

East Renfrewshire Council Environmental Health Service
 No objections subject to conditions relating to restrictions on construction and opening hours, adequate ventilation, storage/disposal of waste.

PUBLICITY:

09.01.2015 Barrhead News Expiry date 23.01.2015

SITE NOTICES: None.

SITE HISTORY:

2006/0615/TP	Change of use of existing retail unit to form hot food takeaway	Refused	31.10.2006
2009/0022/TP	Demolition of existing shop unit and erection of single storey building to form shop unit and hot food take away	Refused	18.05.2009
	Appeal to the Scottish Ministers dismissed 04.08.2009		
2009/0752/TP	Change of use from retail premises to hot food take away	Refused	12.01.2010
	Local Review Body dismissed review 07.06.2010		
2011/0737/TP	Change of use of vacant shop to form Cafe	Withdrawn	25.01.2012
2012/0120/TP	Change of use from shop to cafe with installation of flue at rear and formation of vehicular accesses and parking	Refused	12.06.2012
	Appeal to the Scottish Ministers upheld 27.08.2012		

REPRESENTATIONS:

A total of 26 representations have been received:

Representations can be summarised as follows:

- Contrary to local planning policies
- History of previous applications refused
- Noise and disturbance
- Cooking smells
- Litter/food waste
- Anti-social behaviour
- Late night opening
- No need for another café/take away in the local vicinity.
- Exacerbate existing parking and traffic issues.
- Danger to pedestrians/proximity to schools
- Impact on property values
- Visual impact of extractor
- Property in poor condition/complaints to Environmental Health

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

No reports have been submitted for consideration as part of this application.

ASSESSMENT:

The application is a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However, as more than 10 objections have been received, the application has to be presented to the Planning Applications Committee for determination.

The site is located on the west side of Arthurlie Avenue within the General Urban Area as identified in the adopted East Renfrewshire Local Plan. There are a number of non-residential uses in the area including a church, a children's nursery and a licensed grocer. The property is a monopitch roofed single storey building set back from the road and bounded by residential properties to the rear (west), a church to the north, a vacant plot to the south and a children's nursery and public open space to the east. The application site is currently unoccupied and was previously in retail use.

Planning permission is being sought to change the use from a retail unit to a hot food takeaway together with the installation of an external flue towards the rear of the building and the formation of four off-street car parking spaces at the front that are to be accessed directly from Arthurlie Avenue. The proposed opening hours are stated as 11am to 9pm. In support of the application, the applicant has indicated that despite the permission granted for a café, interest in the property has only been to open as a hot food takeaway. The applicant considers approval would bring jobs and revenue and would improve the appearance of the premises. Documents submitted include marketing details for May 2008, September 2011 and October 2012 but none more recent. In August 2012 the premises were occupied for only two months and reductions in rental have failed to secure a tenant.

The application is required to be assessed against the development plan and any other material planning considerations. The relevant policies are E1 and DM1 of the adopted East Renfrewshire Local Plan and material to the consideration of the application are consultation responses, site history and representations. As the site is within the General Urban Area the application does not require to be assessed against Policies S1 and S2. It is acknowledged that proposals for hot food shops would normally be directed to established town and/or neighbourhood centres. The application site is located away from the defined shopping or neighbourhood centres but is an established commercial use area that is in a predominantly residential area. For properties within the defined shopping and neighbourhood centre a change of use away from retail would be

discouraged. However as the application site is outwith these centres, the benefits of bringing the vacant unit into use has to be given due consideration. It should be noted that no recent marketing information has been submitted for consideration with this application.

Policy E1 presumes against changes of use which are not compatible with the character and amenity of the locality and the surrounding land uses. Policy DM1 sets out general planning criteria against which all forms of development will be considered. In this case, the relevant criteria are considered to be 1) not result in a significant loss of character or amenity to the surrounding area; 2) be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design and materials; and 7) meet the parking and access requirements.

The site is located within a predominately residential area that does have a number of non-residential uses. The premises could be occupied by any Class 1 retail use without the requirement for planning permission or control over opening hours. It is acknowledged that the neighbouring licensed grocer is open after 8pm and as such residents in the area will not benefit from higher levels of amenity normally experienced by residents in exclusively residential areas. This does not however justify a further loss of amenity. Hot food takeaways by their very nature generate a higher level of pedestrian and vehicular movements which can cause unacceptable noise and disturbance to nearby residents particularly later into the evening. The applicant proposes opening from 11am to 9pm in the evening which, in this instance, would not be considered to be either unreasonable or likely to have a significant impact on residential amenity given the current situation. It should be noted that there is an extant planning permission granted on appeal for a café with opening hours of 9am to 8pm.

The proposal includes the installation of a flue to the rear of the building projecting 1.2m above the roof. The building has a monopitch roof with the highest part to the front. Given the profile of the roof, the proposed flue would project approximately 0.5m above the front face of the property but it will inevitably be more visually prominent when viewed from the south. However, given the size and scale of flue, it is not considered to have a significant detrimental effect on the visual amenity of local residents or in the wider area.

The Council's Environmental Health Service has been consulted on the application and raised no objections to the proposal. The proposed flue is approximately 15m to 20m from the nearest house to the rear. Given the distance from the nearest houses and with an efficient ventilation system, it is considered that local residents would be safeguarded against issues with cooking smells. If approved a condition could be attached requiring the submission of the specific details of the ventilation system.

Any potential issues with litter could be addressed with a condition requiring the provision of refuse receptacles.

The submitted drawings show provision to be made for off-street car parking with the formation of four spaces at the front of the premises together with a dropped kerb and pedestrian route. The Council's Road Service has recommended refusal of the application on the grounds that the parking bays will have direct access onto the public road across a public footway with no provision for vehicles to enter and leave in forward gear. This would result in manoeuvres adjacent to a busy junction which would have an adverse impact on vehicular and pedestrian movements. It should be noted that the proposed parking is the same as in the previous refusal 2009/0022/TP. In the appeal against this refusal the appointed Reporter could not envisage the layout working satisfactorily and stated the proposed parking would reduce road safety because of how it interacts with the nearby junction.

Drawing the above matters together, it is considered that the proposal would not significantly conflict with Policy DM1(1) and DM1(2) of the adopted Local Plan. It does not however accord with Policy DM1(7) and therefore does not fully comply with Policy E1.

In terms of material considerations the proposed Local Development Plan represents the current Council position in respect of the consideration of development proposals and the relevant policies largely reflect those in the adopted Local Plan. For reasons stated above, it is considered

that the proposal would not significantly conflict with Policy D1(1) and Policy D1(2). It conflicts with Policy D1(9) and therefore does not fully accord with Policy D2.

As indicated above the preferred location for hot food shops is within the defined town and neighbourhood shopping areas. There have been previous applications for hot food uses that have been refused with some subsequently dismissed on appeal. With regard to the most recent appeal that related to the refusal of planning permission 2012/0120/TP, the appointed Reporter noted the premises could be occupied by any retail use without restriction on the hours of use and was of the opinion that restricted opening hours of 09.00 to 20.00hours would not cause significant harm to the amenity of the area. Although the permitted use and extant permission for the premises is as a café, it is considered that if the opening hours for the proposed hot food takeaway are restricted to 9pm with appropriate ventilation equipment installed and litter receptacles were in place, there would not be a significant detrimental impact on residential amenity.

Notwithstanding the above the concerns of the Roads Service cannot be put aside given the proximity to a busy junction and schools. Furthermore, the number of representations, which make reference to existing traffic and parking issues experienced in the vicinity, is a material consideration.

The objections that have been received are noted and have largely been addressed in the assessment above. The existence of other hot food shops in the area, the impact on property values, or the current condition of the shop are not considered to be material planning considerations.

Drawing all the above matters together, it is considered that the proposal conflicts with Policies E1 and DM1(7) of the adopted Local Plan and Policies D2 and D1(9) of the proposed Local Development Plan on the grounds that the proposal does not meet the requirements for off street parking which would have an adverse impact on vehicular and pedestrian safety.

RECOMMENDATION: Refuse

REASON FOR REFUSAL:

1. The proposed development is contrary to Policies E1 and DM1(7) of the adopted East Renfrewshire Local Plan and Policies D2 and D1(9) of the proposed Local Development Plan in that the requirements for off-street parking have not been met and vehicular manoeuvres in and out of the submitted parking layout which would have an adverse impact on vehicular and pedestrian safety.

PLANNING OBLIGATIONS: None

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Any background papers referred to in this report can be viewed at www.ercplanning.eastrenfrewshire.gov.uk/eplanning, where you can enter the Reference Number listed below. Any further information can be obtained from Ms Alison Mitchell on 0141 577 3117.

Ref. No.: 2014/0786/TP
(ALMI)

DATE: 4th February 2015

DIRECTOR OF ENVIRONMENT

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

East Renfrewshire Local Plan (Adopted 14th February 2011)

Policy E1

General Urban Areas

Within the general urban area, as shown on the Proposals Map, there will be a presumption against significant new development or change of use not compatible with the character and amenity of the locality and its surrounding land uses.

Policy DM1

Detailed Guidance for all Development

Where the principle of development is deemed to be acceptable in terms of the other Policies contained within this

Local Plan, proposals for development will require to conform to the appropriate criteria below:

1. Not result in a significant loss of character or amenity to the surrounding area.
2. Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials.
3. Not constitute backland development without a road frontage.
4. Not impact adversely on the landscape character, involve a significant loss of trees or other Important landscape, greenspace or biodiversity features (see Policies E3 - "Protection of Natural Features", E6 - "Biodiversity" L1 - "Protection of Important Urban Greenspace", and L2- "Safeguarding the Local Greenspace Resource".
5. Ensure that landscaping is an integral element in layout design, taking account of existing physical features (e.g. trees, hedgerows, walls, etc.). Where appropriate, tree planting should augment the amenity and appearance of the site.
6. Ensure that the standards for 'Open Space' are satisfied see Policy L4 - "Open Space Provision in New Developments" and Appendix 1).
7. Meet the parking and access requirements of the Council and provide Appropriate mitigation to minimise the impact of new development (see Policies T3 - "New Transport Infrastructure" and T5 - "Other Traffic Management and Calming Measures).
8. Not prejudice the amenity of neighbouring properties by unreasonably restricting sunlight or privacy.
9. Seek to create safe and secure environments and reduce the scope for anti-social behaviour and fear of crime.
10. Be designed to meet disability needs and include provision for disabled access within public areas.
11. Minimise the extent of light pollution caused by street and communal lighting and any flood lighting forming part of, or associated with, development.
12. Be designed to include provision for the recycling, storage, Collection and composting of waste materials.
13. Be designed to retain on-site, for use as part of the development, as much as possible of all waste material arising from construction of the development.
14. Be designed where applicable to take into account the legacy of former mining activity.

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) outlines the Council's most up to date statement of planning policy. The LDP has been examined by the Scottish Government and the Examination Report has been published.

Policy D1
Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, water management, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. As much as possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.

Policy D2 General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Proposed Plan.

Policy SG7 Town and Neighbourhood Centre Uses

The town and neighbourhood centres, as shown on the Proposals Map and listed in Schedule 14, will be the focus for new retail (Class 1 use), leisure, community and other relevant, complementary uses in accordance with the sequential approach to site selection. Proposals will be supported where of an appropriate scale and design quality, in order to contribute to the quality of the environment and the role and function of the centre.

Proposals for change of use away from retail within these centres require to comply with Policy SG9.

Proposals for new retail (Class 1 use) and leisure development outwith the town and neighbourhood centres will be assessed against Strategic Policy 2 and the following criteria:

- A sequential approach to site selection has been followed. Proposals must demonstrate why more sequentially preferable sites have been discounted as unsuitable or unavailable;
- There will be no significant individual or cumulative adverse impact on the vitality and viability of any town and neighbourhood centre;
- The proposal will help to meet identifiable qualitative and quantitative deficiencies in existing provision; and
- The proposal is of scale which is commensurate with the size of the local community.

Policy SG9 Protecting the Retail Function of the Town and Neighbourhood Centres

The Council seeks to protect the predominantly retail function (i.e. Class 1 use) of the town and neighbourhood centres. Proposals for change of use away from retail (Class 1 use) to non-retail at ground floor level within these centres will only be acceptable if it can be demonstrated that they comply with all of the criteria listed below:

- It can be documented through appropriate marketing from a professionally qualified agent that the premises have lain vacant or been marketed for not less than 6 months and that there is no reasonable prospect of Class 1 use being resumed.
- In any single continuous retail frontage the proposed use should not result in:
 - more than two non Class 1 use units adjacent to each other; or
 - the proportion of non Class 1 uses exceeding 40% of the total number of units.
- Avoiding the concentration of similar uses, whose cumulative impact would adversely alter the overall retail function, environmental quality, affect the amenity of local residents, or result in bad neighbour development.
- That a suitable ground floor window display is provided to avoid the creation of a 'dead frontage'.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Promoting Town Centre indicates that planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. The planning system should: apply a town centre first policy when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities; encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening; ensure development plans, decision-making and monitoring support successful town centres; and consider opportunities for promoting residential use within town centres where this fits with local need and demand.

REPORT OF HANDLING

Reference: 2014/0818/TP

Date Registered: 18th December 2014

Application Type: Full Planning Permission

This application is a Local Development

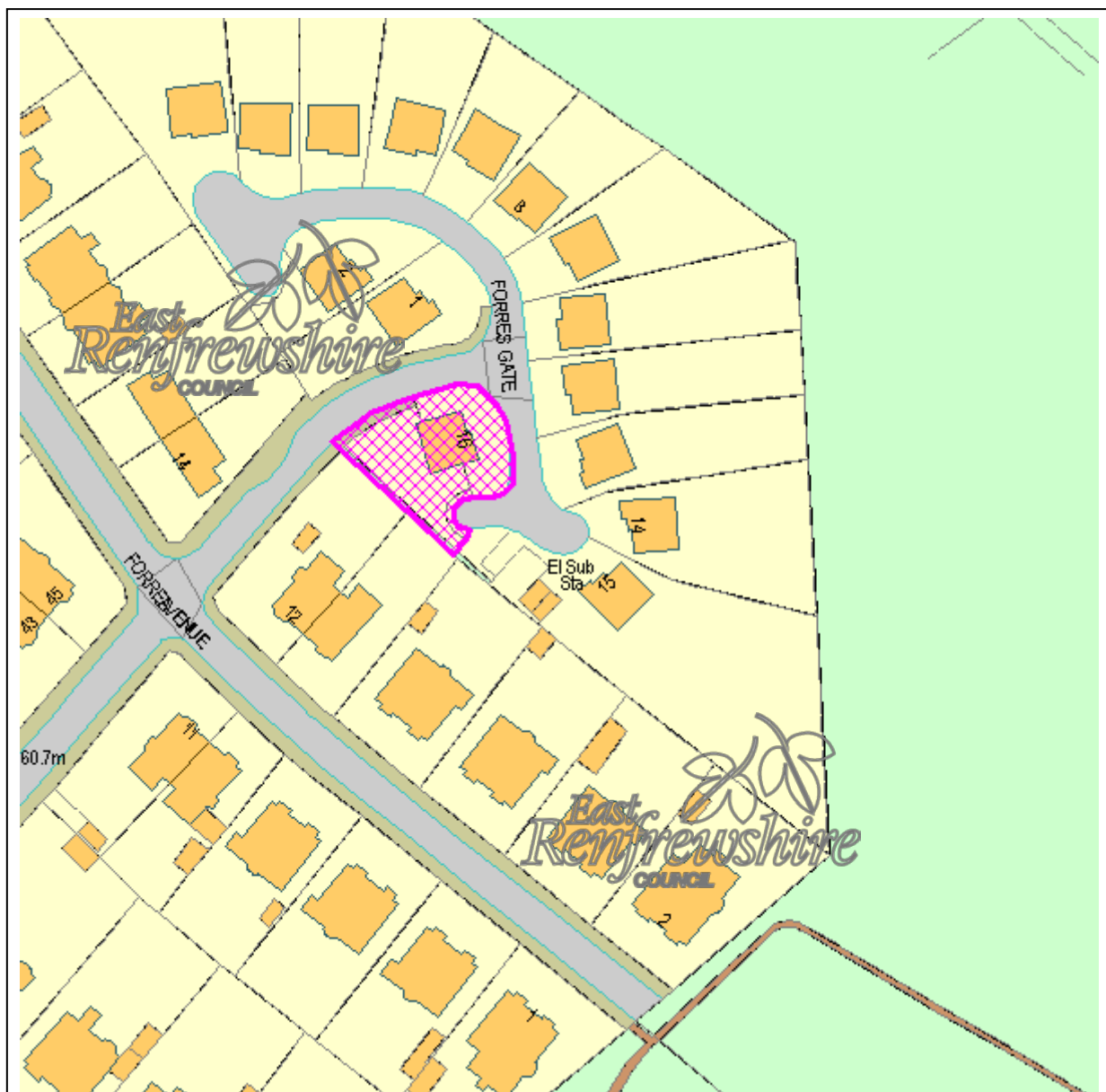
Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 256802/658941

Applicant/Agent: Applicant: Agent:
Mr Grant Sergeant
16 Forres Gate
Giffnock
G46 6NT

Proposal: Conversion of part of integral garage to form hair salon with installation of window in place of garage door and installation of door on side elevation

Location: 16 Forres Gate, Giffnock, G46 6NT



DO NOT SCALE

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads and
Transportation Service

No objections subject to the provision of one
additional in-curtilage car-parking space.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2006/0830/TP	Erection of two storey side extension	Approved subject to conditions	02.02.2007
2009/0243/TP	Conversion of integral garage to habitable room with installation of window in place of garage door	Granted	02.06.2009

REPRESENTATIONS:

A total of thirteen representations have been received in respect of the application.

Representations can be generally summarised as follows:

Proposal is contrary to Policy H4 of the adopted East Renfrewshire Local Plan;
Additional traffic would be generated which would be detrimental to pedestrian safety and public road safety;
Additional traffic during evenings and weekends when children will be playing;
Inadequate car parking;
Increase in traffic fumes;
Detrimental impact on residential amenity;
Use out of character with area;
Signage and potential wheelchair ramps would be out of keeping with residential character;
Overlooking and loss of privacy;
Odours from hair styling products detrimental to amenity;
Proposal will generate rubbish that could be discarded in street;
There are adequate salons in the area and other options are open to the applicant;
Precedent could be set;
Business could expand exacerbating any impact on amenity;
Reduction in property values.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

The applicant has submitted information in support of the application, outlining the expected scale of the proposed use. This states the proposal is to allow the applicant's wife to work from home and that the proposed hours of operation would be 09:30 - 14:30 Tuesday and Wednesday and 09:30 - 17:30 Thursday and Friday. The applicant expects an average of 20 clients per week with services taking between 1 to 3 hours.

ASSESSMENT:

The application is a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However, as more than 10 objections have been received, the application has to be presented to the Planning Applications Committee for determination.

The application site comprises a detached two storey 4 bedroom dwellinghouse and its curtilage and lies within an established residential area. It is one of 15 residential properties that form a residential cul-de-sac. The cul-de-sac is accessed from a single point from Church Road. The footpath on Church Road extends into the cul-de-sac and terminates at a point just beyond the entrance. Thereafter there are no footpaths within the development. In common with the other properties in the cul-de-sac the dwelling has an integral garage. The property also has three in-curtilage car parking spaces.

Planning permission is sought for the conversion of part of the integral garage to form a hair salon. The proposal also involves the installation of a window in place of the garage door and the installation of a door on the side elevation. The floor area of the proposed hair salon is to be 3.26 metres by 2.75 metres.

Information has been submitted with the application that indicates that the proposed hours of operation would be 09:30 to 14:30 Tuesday and Wednesday and 09:30 to 17:30 Thursday and Friday. The applicant expects an average of 20 clients per week with services taking between 1 to 3 hours.

It is accepted that changes of use within residential areas have the potential to detract from residential amenity, particularly where the proposed use is dependent upon visiting members of the public. In view of this, Policies H4 and DM1 of the adopted Local Plan and Policies D1 and D2 of the proposed Local Development Plan seek to protect the amenity of residential areas. In this instance the Council has to assess this proposal against these policies and consider whether a refusal of the application is justified on the grounds of detriment to residential amenity.

In this case the applicant has stated that no other person other than the applicant's wife (resident within the premises) will be employed in the proposed use. This in itself would be considered to limit the scope of the business and limit any potential for expansion and indeed can be controlled by condition should the application be approved. The applicant has also advised limited opening hours and stated that an average of 20 clients would be catered for per week. Again, if the application is approved, the opening hours and the number of clients can be controlled by condition.

In the event that the number of clients was limited by condition to no more than 25 per week, it is not considered that the additional vehicle movements generated by those clients would have a significant perceptible impact on residential amenity in the cul-de-sac. Furthermore the Council's Roads and Transportation Service has not objected to the proposal subject to a condition requiring the provision of one additional in-curtilage car parking space.

Taking the above into account, in view of the limited scope of the proposed business use and the potential to control this by conditions attached to any planning permission, it is not considered that the proposal would have such a detrimental impact on the amenity or character of the residential area as would justify a refusal of the application. It is nevertheless considered that any permission granted should be limited to a temporary period of one year to allow the Council to monitor its impact on neighbouring properties.

In terms of the grounds of objection that have not been considered above the applicant does not propose any signage or disabled access ramps. The display of signage would be considered to be out of keeping with the character of the area and this can be controlled by a planning condition. Larger signs and access ramps would require to be subject to separate applications and would be assessed on their own merits should they be proposed. It is not considered that the proposal would give rise to significant additional overlooking or loss of privacy. Given the limited scope of the business, it is not considered that it would generate significant odours or waste that would justify a refusal of the application. In any event, the operation of the premises would also be subject to separate Environmental Health legislation. Any subsequent applications for other properties in the cul-de-sac or proposals to expand the scope of this applicant's business will be assessed against the relevant development plan policies and material planning considerations at that time. The remaining points of objection are not considered to be material planning considerations.

It is therefore considered that, subject to the conditions, the proposal complies with the terms of the adopted East Renfrewshire Local Plan and of the proposed Local Development Plan.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None

CONDITION(S):

1. The development hereby approved shall cease on 1st March 2016. At the end of the period of permission, the use shall be discontinued.

Reason: To allow the Council to monitor the use and its impact on residential amenity.

2. Only one stylist shall be employed within the premises and that stylist shall be resident within the application site.

Reason: To protect the residential character of the area.

3. The use hereby approved shall operate only within the hours of 09:30 - 14:30 Tuesday and Wednesday and 09:30 - 17:30 Thursday and Friday and at no time on a Saturday, Sunday or Monday unless otherwise agreed in writing by the Head of Environment (Planning, Property and Regeneration).

Reason: To protect adjacent dwellinghouses from noise/disturbance and to protect the residential character of the area.

4. The number of clients catered for within the premises shall not exceed 25 per week.

Reason: To protect adjacent dwellinghouses from noise/disturbance and to protect the residential character of the area.

5. The use hereby approved shall not commence until a plan showing the provision of one additional car-parking space within the site has been submitted to and approved in writing by the Head of Environment (Planning, Property and Regeneration). Thereafter, the approved car-parking space shall be implemented on site prior to the operation of the hair dressing salon.

Reason: To ensure adequate car-parking is provided in the interest of public road safety.

6. Notwithstanding the terms of the Town and Country Planning (Display of Advertisements) (Scotland) Regulations 1984, no signage, plaques or notices advertising or otherwise drawing attention to the premises or the use hereby approved shall be displayed within the site.

Reason: To protect the residential character of the area.

ADDITIONAL NOTES: None

ADDED VALUE:

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Plan policies.

BACKGROUND PAPERS:

Any background papers referred to in this report can be viewed at www.ercplanning.eastrenfrewshire.gov.uk/eplanning, where you can enter the Reference Number listed below. Any further information can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2014/0818/TP
(DESC)

DATE: 4th February 2015

DIRECTOR OF ENVIRONMENT

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

East Renfrewshire Local Plan (Adopted 14th February 2011)

Policy H4

Change from Residential Use

There is a presumption in favour of retaining existing dwellings for residential use within the areas referred to in Policy E1 - "General Urban Areas". The Council will support proposals for partial change of use of dwellings for home business purposes where the business use is ancillary to the use of the property as a residence and there is no adverse impact on the residential character of the property and the surrounding area.

Proposals for change of use require to comply with the terms of Policies Strat2 - "Assessment of Development Proposals" and DM1 - "Detailed Guidance for all Development".

Policy DM1

Detailed Guidance for all Development

Where the principle of development is deemed to be acceptable in terms of the other Policies contained within this

Local Plan, proposals for development will require to conform to the appropriate criteria below:

1. Not result in a significant loss of character or amenity to the surrounding area.
2. Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials.
3. Not constitute backland development without a road frontage.
4. Not impact adversely on the landscape character, involve a significant loss of trees or other Important landscape, greenspace or biodiversity features (see Policies E3 - "Protection of Natural Features", E6 - "Biodiversity" L1 - "Protection of Important Urban Greenspace", and L2- "Safeguarding the Local Greenspace Resource".
5. Ensure that landscaping is an integral element in layout design, taking account of existing physical features (e.g. trees, hedgerows, walls, etc.). Where appropriate, tree planting should augment the amenity and appearance of the site.
6. Ensure that the standards for 'Open Space' are satisfied see Policy L4 - "Open Space Provision in New Developments" and Appendix 1).
7. Meet the parking and access requirements of the Council and provide Appropriate mitigation to minimise the impact of new development (see Policies T3 - "New Transport Infrastructure" and T5 -"Other Traffic Management and Calming Measures).
8. Not prejudice the amenity of neighbouring properties by unreasonably restricting sunlight or privacy.
9. Seek to create safe and secure environments and reduce the scope for anti-social behaviour and fear of crime.
10. Be designed to meet disability needs and include provision for disabled access within public areas.
11. Minimise the extent of light pollution caused by street and communal lighting and any flood lighting forming part of, or associated with, development.
12. Be designed to include provision for the recycling, storage, Collection and composting of waste materials.
13. Be designed to retain on-site, for use as part of the development, as much as possible of all waste material arising from construction of the development.
14. Be designed where applicable to take into account the legacy of former mining activity.

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) outlines the Council's most up to date statement of planning policy. The LDP has been examined by the Scottish Government and the Examination Report has been published.

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, water management, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. As much as possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.

Policy D2
General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Proposed Plan.

GOVERNMENT GUIDANCE: None relevant