

MINUTE

of

PLANNING APPLICATIONS COMMITTEE

Minute of reconvened meeting held at 3.45pm in the Council Chamber, Council Headquarters, Giffnock on 20 September 2022.

Present:

Councillor Betty Cunningham (Chair)	Councillor Chris Lunday
Councillor Caroline Bamforth	Councillor David Macdonald
Councillor Tony Buchanan (*)	Councillor Jim McLean (Vice Chair)
Councillor Kate Campbell	Councillor Colm Merrick
Councillor Angela Convery (*)	Councillor Andrew Morrison
Councillor Paul Edlin	Councillor Owen O'Donnell
Councillor Annette Ireland	Councillor Katie Pragnell

(*) indicates remote attendance

Councillor Cunningham in the Chair

Attending:

Gillian McCarney, Head of Environment (Chief Planning Officer); Julie Nicol, Planning and Building Standards Manager; Alan Pepler, Principal Planner (Development Management); Siobhan Wilson, Solicitor; Karen Barrie, Principal Strategy Officer (Affordable Housing & Development Contributions Lead); Eamonn Daly, Democratic Services Manager; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Also in Attendance:

Margaret Phelps, Strategic Planning Performance and Commissioning Manager, East Renfrewshire Health and Social Care Partnership; Mr Stas Burek (*) in objection to the applications and Mr Bob Salter on behalf of the applicant as agent for Caldwell Developments Ltd.

(*) indicates remote attendance

Apologies:

Provost Mary Montague and Councillors Andrew Anderson, Danny Devlin and Gordon Wallace.

DECLARATIONS OF INTEREST

135. No declarations of interest were intimated.

PRE-DETERMINATION HEARING – 2021/0298/TP APPLICATION FOR PLANNING PERMISSION AND 2021/0334/LBC APPLICATION FOR LISTED BUILDING CONSENT

136. Under reference to the Minute of the meeting of 24 August (Page 118, Item 90 refers), the committee resumed consideration of the applications. A site visit had taken place prior to the meeting.

Mr Stas Burek, was heard in amplification of the objection to the applications submitted by him in the course of which he highlighted points which included that he and his wife lived on the estate and would therefore be most affected by development at the site.

He noted that the proposals hinged on the restoration of Caldwell House, a Grade A Listed Building and apparently a significant example of Robert Adam's work, however it rarely featured in biographies and listings of Adam's work and it appeared that it was never completed to his original designs. The site is within a Green Belt and Council documents including the Local Development Plan2 (LDP2) recognised the need for limited development to support the restoration of Caldwell House. He advised that they did recognise the required restoration deficit although the current proposal could not be considered as limited in its greenbelt context.

He highlighted the distance from Uplawmoor and that this was therefore a new settlement in violation of Green Belt and the LDP2. He referred to Policy SG3 which stated that proposals for Specialist Residential and Supported Accommodation should be located within the urban area and be accessible to public transport networks and other services and facilities and to ensure residents did not become isolated, suggesting that this proposal failed to meet this policy. He further referred to the Spatial Objectives section of the LDP2 which outlined that development sites should be accessed sustainably to reduce the proportion of journeys made by private car. He highlighted that there is no public transport within walking distance of the estate and a private bus service is now to be provided by the care home operator, in practise this will lead to an increase in travel by private car from visitors and workers on the estate. He noted that residents should be able to lead an independent lifestyle and socialise easily with other residents, and that the proposals suggested a community or social hub, however the cafe proposed comprised of 6 tables which would not be suitable for over 170 dwellings. He highlighted the risk of the project, and that the developer advised that this was a private commercial decision, however planning policy and regulation should ensure that development was appropriate and in public interest. He noted the objection from the East Renfrewshire Health and Social Care Partnership (HSCP). He also raised the environmental issue of climate change and the Council's environment policies and practices. He noted that the developer seemed to be using the proposed restoration of Caldwell House as a lever to disregard local and national planning policies. He advised that he and his wife were not against development although there were too many unresolved issues with the current proposals.

Mr Bob Salter, agent for Caldwell Developments Ltd, then summed up on behalf of the applicant in the course of which he highlighted points which included the urgent need for restoration at the site. He advised that a viable and deliverable proposal was before the committee with the opportunity to save Caldwell House for future generations, to create jobs, substantially improve the local environment and properly manage the estate in perpetuity. He noted that Caldwell House was designated as a Grade A Listed Building by Historic Environment Scotland; it was an early example of the castle style design by the world famous Scottish architect Robert Adam; and was a historic building worthy of conservation for the nation. He advised that Policy D14 of the LDP2 outlined that 'The Council will seek to positively manage the historic built environment through engagement with landowners and other organisations to ensure that heritage assets are safeguarded, preserved and enhanced, have appropriate viable uses and have a sustainable future for the benefit of future generations.' He advised that this policy recognised that finding a viable use for Caldwell House was a public

duty that carried with it long term public benefits. He advised that Robert Adam's design of the northern facade of Caldwell House was not only of national but of international cultural significance, and that when restored it would be one of the most significant listed buildings in East Renfrewshire and Scotland. He advised that Caldwell House cannot be saved without some level of enabling development, various options to deliver the restoration of Caldwell House have been considered by the applicant, and through careful analysis the limited scale of a retirement village had been chosen as the most sustainable option to restore Caldwell House. He advised that this option would raise the necessary required funds with the least environmental impact. He outlined the proposal and noted that the construction of the development would be a boost for the local economy with up to 85 full and part-time jobs provided in the care home and around 200 jobs provided during the construction process, at a critical time for the Scottish economy securing jobs in this rural area of East Renfrewshire should be supported. The applicant is acutely aware of the environmental matters which are to be taken into account, and the proposal allows for mature woodlands to be managed for the first time in decades. It is recognised that trees would require to be removed to enable development. However most of these are non-native conifers with limited biodiversity value. Caldwell Developments Ltd is committed to a comprehensive woodland management scheme and its replanting proposals would result in a greater number and more diversity of trees than is currently on the site. Repairs to the heritage features on the grounds and the creation of a 5km path network for public use would be provided, and the improved estate would be open and accessible to all. Sustainable development would be promoted by the use of solar panels and air source heat pumps. Electric charging points would be available for public and private use with water saving measures in all homes. He advised that the estate of Caldwell House could be a future resource for the whole community, with a thriving new community, offering specialist care accommodation and a restored historic building at its heart and that without the proposals outlined the historic buildings would remain at risk in an unmanaged estate. He asked for support for the recommendation in the report and highlighted the positive choice of thriving new community with a managed woodland with more biodiversity, secure jobs and investment in East Renfrewshire and Caldwell House saved for future generations and the nation.

Further discussion then followed. Councillor Morrison enquired as to the level of adoption for the access road to the site. It was advised at the site visit the Council would take responsibility for all of the roads. Given the vulnerability of residents, he sought confirmation that the road gritting service would be provided.

The Principal Planner (Development Management) advised that proposed Condition 2 related to roads adoption, and clarification was therefore being sought through this condition on the roads to be adopted. He advised that if the roads were adopted by the Council the Council would assume responsibility for gritting but if they are not adopted they would remain the responsibility of the applicant.

Councillor Bamforth highlighted the length of time for roads to be adopted and noted that this could mean that the roads would be adopted after completion of the site and sought confirmation of a timeframe for the adoption of the roads. In reply, the Principal Planner (Development Management) advised that the roads adoption process was dependent on both parties and therefore a time frame could not be confirmed.

Councillor Bamforth noted the isolated nature of the development site, with reference earlier to LDP2 Policy SG3 that Specialist Residential and Supported Accommodation should be located within the urban area and be accessible to public transport networks and other services and facilities to ensure that residents don't become isolated. She noted that this would be an isolated location for residents and healthcare providers accessing the site.

The Head of Environment (Chief Planning Officer) provided an overview of the roads construction process. Councillor Bamforth noted this process and that a precise time frame

could not be confirmed for this process. Mr Salter advised that the existing access road would be upgraded to adoptable standards and the roundabout and loop road to the site would be completed in Phase 1. It was his understanding that this would be subject to a maintenance period of 12 months and then adopted thereafter, with completion estimated within a two year period.

Councillor Edlin sought confirmation that the roads would be adopted in time for residents to be living in the accommodation built. The Head of Environment (Chief Planning Officer) advised that the legislative process would require to be completed in order for this to be achieved. Mr Salter advised that the roads construction consent would be applied for after planning permission was obtained, he again advised that the roundabout and loop road to the site would be completed in Phase 1, the road itself requires to be upgraded and the roundabout built. Further development would then progress from the loop road, with further roads construction process leading to adoption.

Councillor Ireland noted the isolated location of the site and sought confirmation of whether the roads once adopted would be added to the Winter Gritting Schedule. She noted concern about the sustainability of the site and posed a number of questions relative to the proposed operation of a bus service by the developer.

Councillor Ireland also referred to the recent Drumby Crescent Care Home planning application and the weight given to the objection from HSCP, in that it is contrary to Strategic Policies 1 and 2 and noted that this report contains the same objection from HSCP although this report does not have the same weighting to this objection.

In reply, the Planning and Building Standards Manager advised of the requirements of legislation for significant weight to be placed on enabling development to preserve the Grade A Listed Building Caldwell House. The proposal had been considered against a number of considerations and the widest policy context and acknowledged the issues of environmental impact including loss of trees, traffic generation, Policy SG3 and the objection from HSCP. The on cost was not a material consideration although the impact on over provision is although this has been weighed up against the wider benefits emerging from the proposal.

Responding to Councillor Ireland's questions about the bus service, Mr Salter advised that a dedicated service would be provided which was part of the Green Travel Plan proposals, with a subsidy until the end of Phase 3 provided by the developer. It is therefore intended after this time a feasible bus service would be enabled. It is outlined in the transport assessment that a bus route would run to Barrhead and back, four times a day. He noted that an increase in the subsidy of the bus service would require a greater level of enabling development. He advised that it is hoped Strathclyde Partnership for Transport (SPT) may change their position on investing in the bus service once all phasing of the development was complete. Alternatively the residents of the care home would then decide whether to continue the bus service without the subsidy from the developer.

Councillor Ireland enquired as to the subsidy intended to be provided by the developer. Mr Salter confirmed that £80k would be provided per year and that this was without revenue income from the buses.

Councillor Morrison noted that SPT had requested that a condition was sought for continued operation of the bus service should the application be granted. He also referred to Policy D8 of LDP2 which details that sustainable transport provision options require to be provided and how could this be the case if the service provided by the developer would not continue.

Councillor Bamforth sought clarification of whether there was a GP in Uplawmoor or if there was a GP that would support Uplawmoor. The Strategic Planning Performance and Commissioning Manager, HSCP advised that the GP is based in Neilston and would require to confirm whether there was a GP in Uplawmoor.

Councillor Edlin outlined that GP cover is required for the residents and Councillor Cunningham confirmed that this is not a material planning consideration.

Discussion having concluded Councillor Cunningham invited a recommendation from the committee.

Councillor Ireland, proposed that the application be refused for the following reasons:-

- That it was contrary to Scottish Planning Policy with specific reference to Woodland, which states that ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, should be protected from adverse impacts resulting from development and this proposal would have a severe adverse impact on the ancient woodland. She also noted the strong objections received from the Woodlands Trust and Scottish Forestry.
- That the proposal is also significantly contrary to the Council's LDP2. The proposal does not comply with the LDP2 Policy D3: Green Belt and Countryside around Towns (CAT) due to the scale of the enabling development in the Green Belt and associated visual impact associated with introducing an urban scale development in a Green Belt location.
- That the proposal does not comply with the LDP2 Policy D7: Natural Environment Features, the Council should be seeking to protect and enhance natural environment features and seek to increase the quantity and quality of the areas biodiversity. The Council should have a strong presumption against development on or adjacent to Natural Features, there would be an effect from this development.
- That the proposal does not comply with the LDP2 Policy D8: Sustainable Transport Networks, as discussed during the meeting with the requirement for a bus and that the isolated location was evident during the site visit, there is consequently a reliance on private car travel.
- That the proposal does not comply with Strategic Development Plan Policy 1 overall in terms of the sustainability of the proposal in reducing the need to travel, it is clear that the proposal cannot be considered as a retirement settlement that would cater for the majority of residents' needs.
- That the proposal does not comply with Strategic Development Plan Policy 1 and 2, as it cannot be demonstrated that the proposal would not have an adverse impact on existing community facilities particularly in Uplawmoor and the points raised during the meeting by Councillor Bamforth.

Councillor Pragnell seconded the amendment and added that as the Convener for Health and Social work she had real concerns about the development, she noted her points made at the previous meeting especially around GP provision and that it is not sustainable in the long term for people to pay for their beds in care homes, which has resulted in care homes failing in the past with local authorities taking on the provision of care.

There being no further comments the committee agreed that the application be refused for the reasons as stated.

2021/0334/LBC APPLICATION FOR LISTED BUILDING CONSENT

137. The Planning and Building Standards Manager outlined that 2021/0334/LBC application for listed building consent comprised of the restoration, alteration and conversion

of Caldwell House, involving removal of existing render, re-pointing & repairs to stonework, new roof, new windows, new lime render to all facades, new/repared chimney stacks, selective demolitions, & internal fit-out with modern construction techniques; plus restoration of Former Keeper's House, involving repairs to stonework, new roof, new windows, new lime render to all facades, new chimney pots, & internal fit out with modern construction techniques.

Councillor Morrison highlighted that page 3 of the report outlined the description of the proposal to be the same as 2021/0298/TP. The Principal Planner (Development Management) advised that this was a typographical error on the index sheet but that the description of the application for listed building consent as described by the Planning and Building Standards Manager was correct.

Councillor O'Donnell sought clarification of the independent consideration of the Listed Building Consent application. The Principal Planner (Development Management) advised that although related to the same development proposals they did need to be considered separately and it would be correct that enabling development would be required for the proposed works outlined to be undertaken and the works within Caldwell House itself were considered to be development.

Thereafter the committee agreed that the application be refused on the basis of the same reasons for the refusal of application 2021/0298/TP.

CHAIR

**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**

Extended Planning Applications Committee - Continuation of Pre-Determination Hearing and Meeting
- 20th September 2022.

Reference No: 2021/0298/TP

Ward: 1

Applicant:

Caldwell Developments Ltd
66 Townhead
Kirkintilloch
Glasgow
United Kingdom
G66 1NZ

Agent:

Stuart Salter
Quadrant
17 Bernard Street
Edinburgh
UK
EH6 6PW

Site: Caldwell House Caldwell Estate Gleniffer Road Uplawmoor East Renfrewshire

Description: Restoration, alteration and conversion of Caldwell House to form assisted living flats and ancillary facilities (class 8), restoration and alteration of Former Keeper's House to form dwelling (class 9), construction of care home (class 8), construction of new build assisted living flats (class 8) and dwellings (class 9), selective demolitions of existing buildings, and associated landscaping, infrastructure and engineering works, including upgrade of existing site access, roads and path network.

Decision: Refused

Reference No: 2021/0334/LBC

Ward: 1

Applicant:

Caldwell Developments Ltd
66 Townhead
Kirkintilloch
Glasgow
United Kingdom
G66 1NZ

Agent:

Stuart Salter
Geddes Consulting
Quadrant
17 Bernard Street
Edinburgh
UK
EH6 6PW

Site: Caldwell House Caldwell Estate Gleniffer Road Uplawmoor East Renfrewshire

Description: Restoration, alteration and conversion of Caldwell House, involving removal of existing render, re-pointing & repairs to stonework, new roof, new windows, new lime render to all facades, new/repared chimney stacks, selective demolitions, & internal fit-out with modern construction techniques; plus restoration of Former Keeper's House, involving repairs to stonework, new roof, new windows, new lime render to all facades, new chimney pots, & internal fit out with modern construction techniques.

Decision: Refused

