

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 15/01794/PPP

Planning Hierarchy: Major Application

Applicant: Avant Homes

Proposal: Site for the erection of residential development with associated access, infrastructure, open space, landscaping and miscellaneous works.

Site Address: Land North Of Cardross Primary School, Barrs Road, Cardross

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of residential development;
- Formation of associated roads and accesses;
- Formation of open space.

(ii) Other specified operations

- Connection to public water supply;
 - Connection to public sewerage system.
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(B) RECOMMENDATION:

It is recommended that planning permission in principle be approved subject to:

- i) a discretionary local hearing being held in advance of the determination of the application;
 - ii) the conditions and reasons detailed in the report.
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(C) HISTORY: None

(D) CONSULTATIONS:

West of Scotland Archaeology Service (dated 17/7/15): In keeping with recommended procedure in PAN 2/2011, it is recommended that a prior archaeological evaluation of the proposed development area should be carried out before the planning authority determines whether to grant consent for development of the site. This should comprise a trial trenching programme consisting of a distributed 8% sample of the full application area, to be conducted by an appropriate archaeological contractor. In the event that the planning authority is unable or unwilling to ask for an evaluation as described above, the alternative would be to attach a condition.

Scottish Water (dated 31/5/16): No objections.

Scottish Environment Protection Agency (dated 14/7/16): No objections.

Council's Roads Service (dated 10/6/16): No objections subject to conditions.

Council's Public Protection Officer: No response to date.

Council's Flood Risk Assessor (dated 20/7/15): No objections subject to conditions.

Council's Education Service (dated 27/10/15): At the moment there is capacity for roughly 300 pupils within Cardross Primary with a school role at present of 176. There could be an issue with capacity should every house be purchased by families.

Cardross Community Council (dated 24/7/15): Consultation response identified concerns relating to access to the site, drainage and flood risk (in terms of increased run-off), capacity of Cardross Primary School, archaeology, affordable housing and need to ensure that this will be delivered with each phase, the density of the housing on the indicative plan is much greater than on the adjacent housing on Kilmahew Avenue.

(E) PUBLICITY:

The application has been advertised in the local newspaper (Regulation 20 Advert Major Application). The period for representations expired on 30.07.2015.

(F) REPRESENTATIONS:

Jackie Baillie MSP (dated 31/8/15): Following a surgery in Cardross a number of people have raised their concerns with this planning application. The main area of concern is access. Darleith Road is very narrow and steep and cars are parked up one side. On the other side is a ravine so the opportunity to widen the road is unlikely. I would be grateful to know if a road traffic assessment has been considered. I would also be grateful to know what assessment has been made on the impact on the Primary School.

Objectors

Ian Fleming, 1 Kilmahew Avenure, Cardross (dated 8/7/15);
Stewart Macdonald, Kirkton House, Darlieith Road, Cardross G82 5EZ (dated 13/7/15);
Julie Lang, Ellismhor, Darleith Road, Cardross (dated 13/7/15);
David Weir, Sunnybrae, Barrs Road, Cardross G82 5EY (dated 16/7/15);
Gordon S Hendry, Greyfriars, Darleith Road, Cardross G82 5EZ (dated 20/7/15);
Christine Hendry, Greyfriars, Darleith Road, Cardross G82 5EZ (dated 21/7/15);
Margaret Duggan, Kirkton Cottage, Darleith Road, Cardross G82 5EZ (dated 22/7/15);
Eric Duncan, 11A Muirend Road, Cardross G82 5LQ (dated 23/7/15);

Josephine Cameron, Shira Lodge, Main Road, Cardross G82 5LB (dated 4/8/15);
Iain Cameron, Shira Lodge, Main Road, Cardross G82 5LB (dated 5/8/15);
William MacLachlan, 9 Kilmahew Avenue, Cardross G82 5NG (dated 9/8/15);
Jay Thundercliffe, Auchensail Cottage, Darleith Road, Cardross G82 5HN (dated 12/8/15);
P. G. Preston, Darleith Lodge, Darleith Road, Cardross G82 5HN (dated 17/8/15);
Richard Ashdown, Calenda, Darleith Road, Cardross (received 3/8/15);
Mr A and Mrs J Miller, Hillview, Darleith Road, Cardross G82 5EZ (undated);
E. Matheson, 2 Smithy Court, Cardross (dated 17/9/15);
Charlies Morrish, 7 Kilmahew Avenue, Cardross (dated 11/9/15);
Avril Williams, Kirkton Farm Cottage, Darleith Road, Cardross (dated 14/9/15)
Donald Blair, 3 Kilmahew Court, Cardross G82 5NJ (dated 21/9/15)

Representations

Archie McIntyre, Glenlee, Kirkton Road, Cardross G82 5PN (dated 16/7/15)

Summary of issues raised

- The scale of the development is too great for a village the size of Cardross.

Comment: This is a housing allocation which has been considered through the Local Development Plan process. The scale of the development is therefore considered to be acceptable.

- Too many units are proposed.

Comment: While no specific numbers have been defined as part of this planning permission in principle application, the supporting information suggests that a later AMSC application will be submitted for around 140 units which is lower than the allocated number of 158 units.

- There is insufficient information of the detail of the application.

Comment: For a planning permission in principle the level of detail is considered acceptable and in accordance with the legislation.

- There could be a loss of character due to overdevelopment and inappropriate design.

Comment: This is a matter for consideration at the Approval of Matters Specified in Conditions application stage.

- No mention of social housing locations on the site.

Comment: Twenty five per cent of the housing on this site will be affordable as defined by the Local Development Plan. Full details of this will be provided and considered at the AMSC stage.

- Unhappy with the Reporter's decision to leave this site in the plan as a housing allocation.

Comment: This is not material to the consideration of this planning application.

- Difficulties relating to the accessing of the site.

Comment: See assessment.

- Darleith Road should be re-engineered to an appropriate standard especially as there is an existing timber haulage route using this road.

Comment: See assessment.

- There is no provision for the widening and improvement of the access roads to the development.

Comment: See assessment.

- At the consultation stage it was categorically stated by the planning representatives that the only vehicular access to the site would be via Darleith Road as it was a requirement that the feeder road had to have direct access to the main road. Access to the site via Barrs Road was not to be permitted.

Comment: This point is noted.

- Barrs Road is not suitable to provide access to the site.

Comment: See assessment.

- Darleith Road does not provide a suitable access to the site.

Comment: See assessment.

- Questions some of the proposals put forward in the transport assessment.

Comment: A revised transport assessment has been submitted. Not all proposals have been accepted.

- The development will result in increased congestion around the station as the park and ride is not large enough to cope with the demand.

Comment: A lack of capacity within the park and ride would not provide a sustainable reason to refuse this planning application.

- The use of Darleith Road would present a danger to children walking to school.

Comment: Formal traffic calming with a priority give and take is required to be implemented prior to works commencing on site. This formal management of road traffic will reduce driver speeds. There is adequate pedestrian provision on the east side of Darleith Road.

- There is limited or no provision for cyclists.

Comment: It is proposed that cyclist will be encouraged to use the existing network to the east of the development site with the majority of traffic generated from the development concentrated on the west side.

- Darleith Road is one of the Council's core paths and it is feared that the development will effectively destroy its eligibility as a Core Path as it will no longer offer safe countryside access.

Comment: The 30 mph speed restriction will be extended beyond the development to the north. The formal traffic management proposed will assist with the reduction in speed with further consideration being given to reduce the speed limit to 20 mph.

- The former quarry which is located immediately adjacent to the site presents a potential danger to small children.

Comment: Boundary treatment between the site and the quarry will be considered at the AMSC stage.

- Current drainage and sewerage systems are inadequate.

Comment: Scottish Water has no objections to the proposal.

- The water supply is at capacity.

Comment: Scottish Water has no objections to the proposal.

- The development will increase the problem of flooding in the field to the south of the application site.

Comment: Conditions are proposed which require the submission of further drainage information. This will ensure that the drainage of the site does not cause flooding elsewhere.

- It is questioned whether there is sufficient capacity within the Primary School.

Comment: The Education Service has advised that there is sufficient capacity within the school to accommodate the intake expected from the development.

- There could be a loss of character due to overdevelopment and inappropriate design.

Comment: This is a matter for consideration at the Approval of Matters Specified in Conditions application stage.

- The development is likely to result in an increase in fly tipping in the quarry.

Comment: Fly tipping is a criminal offence and not a planning consideration

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) **Environmental Statement:** No
- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) **A design or design/access statement:** Yes
- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** Yes

Supporting Planning Statement dated June 2015;
Phase 1 Site Assessment Study 22nd May 2015;
Flood Risk Assessment and Drainage Strategy 8th May 2015;
Phase 1 Habitat Survey 22nd May 2015;
Transport Assessment, June 2015, updated in draft April 2016.

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

(i) List of all Development Plan Policy considerations taken into account in assessment of the application.

Argyll and Bute Local Development Plan (adopted March 2015)

LDP STRAT 1 – Sustainable Development
LDP DM1 – Development within the Development Management Zones
LDP PROP 2 – The Proposed Allocations
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment
LDP 8 – Supporting the Strength of our Communities
LDP 9 – Development Setting, Layout and Design
LDP 10 – Maximising our Resources and Reducing our Consumption

Housing Allocation H2002 (Cardross – Kirkton Farm)
Supplementary Guidance

SG LDP ENV 1 – Development Impact of Habitats, Species and Our Biodiversity
SG LDP ENV 14 – Landscape
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance

SG LDP HOU 1 – General Housing Development including Affordable Housing Provision
SG LDP HOU 2 – Special Needs Access Provision in Housing Developments
SG LDP HOU 3 – Housing Green Space
Sustainable Siting and Design Principles
Delivery of Affordable Housing
SG LDP SERV 1 – Private Sewage Treatment Plants and Wastewater (ie drainage) Systems
SG LDP SERV 2 – Incorporation of Natural Features / Sustainable Systems (SUDS)
SG LDP SERV 3 – Drainage Impact Assessment (DIA)

SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development
SG LDP SERV 5(b) – Provision of Waste Storage and Collection Facilities with New Development.
SG LDP TRAN 1 – Access to the Outdoors
SG LDP TRAN 2 - Development and Public Transport Accessibility
SG LDP TRAN 3 – Special Needs Access Provision
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
SG LDP TRAN 5 – Off-Site Highway Improvements
SG LDP TRAN 6 –Vehicle Parking Provision

- (ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

Scottish Planning Policy 2014
Argyll & Bute Sustainable Design Guidance (2006)
Designing Streets: A Policy Statement for Scotland (2010)
Creating Places: A Policy Statement on Architecture and Place for Scotland (2013)

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- (K) **Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:** Yes

A screening opinion was issued on 4/2/14 advising that an EIA was not required.

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- (L) **Has the application been the subject of statutory pre-application consultation (PAC):** Yes

In accordance with the legislation a Pre-Application Consultation Report has been submitted with this application. This report is considered to be acceptable.

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- (M) **Has a sustainability check list been submitted:** No

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- (N) **Does the Council have an interest in the site:** No

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- (O) **Requirement for a hearing (PAN41 or other):** Yes.

In total 22 representations have been received – 20 objections and 1 representation from the public and a representation from Jackie Baillie MSP. Consideration therefore requires to given to the benefits of holding a pre-determination hearing. Although the application is for a permission in principle, which conforms with the housing allocation conferred by the local development plan, the application does raise issues relating to the intended means of access to the site, which in view of the number of representations received would merit the holding of a discretionary local hearing to allow Members the opportunity to consider determining issues in detail prior to deciding the application.

(P) Assessment and summary of determining issues and material considerations

The application is for planning permission in principle (PPP) for a residential development on a site allocated for housing within the adopted Argyll and Bute Development Plan. A PPP application only deals with the principle of the development proposed and does not deal with the detail of layout, design, landscaping etc. The most significant determining issue with this application is the issue of vehicular access from the A814 to the site. The development of this site will only be acceptable with the restriction of vehicle movements to the east and west and specified off site road improvements.

It is considered that the proposal would accord with development plan policy subject to conditions requiring the submission of further details at the Approval of Matters Subject to Conditions (AMSC) stage.

(Q) Is the proposal consistent with the Development Plan: Yes

(R) Reasons why planning permission or a Planning Permission in Principle should be granted

This application is for planning permission in principle for a residential development on a site which is an allocation for housing within the current Argyll and Bute Local Development Plan, which was adopted in March 2015. The principle of residential development is fully in accordance with the development plan and there are no material considerations which would indicate that the decision should depart from the policies of the recently adopted development plan.

(S) Reasoned justification for a departure to the provisions of the Development Plan

Not applicable

(T) Need for notification to Scottish Ministers or Historic Scotland: Not required.

Author of Report: Sandra Davies

Date: 13/06/16

Reviewing Officer: Richard Kerr

Date: 13/06/16

Angus Gilmour
Head of Planning and Regulatory Services

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO.15/01794/PP

1. Plans and particulars of the matters specified in conditions 2, 3, 6, 7, 8, 9, 11, 12, 13, 15, 16 and 17; below shall be submitted by way of application(s) for Approval of Matters Specified in Conditions in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended. Thereafter the development shall be completed wholly in accordance with the details contained within the approved plans and particulars.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. Pursuant to Condition 1 – no development shall commence in respect of any individual plot until plans and particulars of the site layout, design and external finishes of the development have been submitted to and approved by the Planning Authority. These details shall incorporate proposed finished ground floor levels relative to an identifiable fixed datum located outwith the application site. These levels shall be at least 0.3 metres to 0.6 metres above finished ground levels. Thereafter the development shall be implemented in accordance with the duly approved details which shall have regard to special needs access requirements established by policies SG LDP TRAN 3 and SG LDP HOU2.

Reason: To ensure that the development has a layout and design which is compatible with its surroundings and in accordance with Local Development Plan policy.

3. Pursuant to Condition 1 – no development shall commence until a scheme for the provision of affordable housing that is in accordance with the provisions of the Council's Development Plan Policy and Supplementary Guidance on Affordable Housing has been submitted to and approved in writing by the Planning Authority. The scheme shall:
 - a) Provide that a minimum of 25% of the approved dwellings are affordable homes;
 - b) Define those dwellings that are to be used as affordable homes;
 - c) Establish the timing of the provision of the affordable homes relative to the phasing of the development, which shall ensure that the last 25% of the dwellings within the development;
 - d) Establish the arrangements to ensure the affordability of the affordable homes for both initial and subsequent occupiers.

The development shall be implemented and occupied thereafter in accordance with the duly approved scheme for affordable housing.

Reason: To accord with the provisions of the development plan in respect of affordable housing provision.

4. Unless otherwise agreed in writing by the planning authority in consultation with the Council's Road Network Manager no development shall commence unless and until the following road improvements to Darleith Road have been provided to the satisfaction of the Planning Authority in consultation with the Road Network Manager:
 - (i) The provision of a suitable traffic calming scheme (give and take priority) between Barr's Terrace and Mill Road. This shall also include the provision of a minimum of 10 new off street car parking spaces;
 - (ii) The provision of a 5.0 metre carriageway with associated verges with a minimum width of 1.0 metres on each side between Mill Road and the proposed development site entrance;

- (iii) The provision of a passing place immediately to the north of the proposed development site entrance in order to accommodate large vehicles passing in opposite directions;
- (iv) The provision of street lighting to the north of the new access to the development, the exact location to be agreed in consultation with the Council's Road Network Manager;
- (v) the existing lighting between Mill Road and the existing 30 mph speed restriction limit shall be upgraded.

Reason: In the interests of road safety and to ensure a safe connection from the A814 to the site, suitable traffic calming measures, compensatory parking and a passing place for larger vehicles are required to be implemented before construction work commences on site.

5. Unless otherwise agreed in writing by the planning authority in consultation with the Council's Road Network Manager no dwelling house shall be occupied unless and until the existing 30 miles per hour (mph) speed restriction on Darleith Road has been extended and brought into effect to a location north of the Darleith Road site access, the exact location to be agreed in consultation with the Council's Road Network Manager.

Reason: In the interests of road safety.

6. Pursuant to condition 1 - no development shall be commenced until the following plans and particulars have been submitted to and approved by the Planning Authority in consultation with the Road Network Manager. Thereafter the schemes shall be carried out in accordance with the approved details. Such details shall incorporate:
 - (i) On the A814 Main Road, Cardross, a scheme to enhance the gateway features in both directions at the entrances into Cardross village to be fully implemented in accordance with these details prior to occupation of the first dwelling house.
 - (ii) On the A 814 Main Road, Cardross, within the village envelope a scheme to enhance traffic calming to be fully implemented in accordance with these details prior to occupation of the first dwelling house.

Reason: In the interests of road safety.

7. Pursuant to condition 1 – no development shall commence until full details of the internal road layout within the development have been submitted to and approved in writing by the planning authority. The development layout shall ensure that no more than 20 dwelling houses will be served from the east access. i.e. via Barr's Road. All other vehicular traffic will be required to access the development site from Darleith Road. The internal roads shall be constructed in accordance with the principles of Designing Streets.

Reason: In the interests of road safety and good place making.

8. Pursuant to Condition 1 - Car parking provision shall be provided in accordance with the Argyll and Bute Council supplementary guidance policy SG LDP TRAN 6. Parking provision shall be constructed and made available for use prior to the first occupation to the dwelling(s) to which it relates and shall be maintained thereafter for the parking of vehicles.

Reason: In the interests of road safety.

9. Pursuant to Condition 1 – no development or ground breaking works shall commence until an archaeological field evaluation has been undertaken and submitted to the Planning Authority for approval, the results of which shall inform as necessary the layout of the development to be submitted for the purposes of the Approval of Matters Subject to Conditions.

This archaeological field evaluation shall be prepared by a suitably qualified person and shall consist of a trial trenching programme of a distributed sample of 8% of the full application area. The West of Scotland Archaeology Service shall be notified at least 14 days in advance of the evaluation in order to facilitate monitoring of the work evidence of which to be submitted along with the archaeological field evaluation as part of the Approval of Matters Specified in Conditions submission. If archaeological remains on the site are confirmed proposals for their preservation shall also be included.

Reason: In order to protect archaeological resources.

10. For the avoidance of doubt the proposal hereby approved shall be served by public water and sewerage connections.

Reason: The proposal has been assessed on this basis and the introduction of private connections would represent a further material consideration in the determination of this planning application.

11. Pursuant to condition 1 – no development shall commence until the following details have been submitted to and approved in writing by the planning authority:

- i) Details of the proposed cut-off ditch (or similar) to be located along the northern border of the site along with calculations demonstrating that this proposed mitigation measure will not exacerbate flooding elsewhere;
- ii) The existing flow pathway in the vicinity of the sewer line shall be maintained;
- iii) A detailed drainage assessment and layout;
- iv) Method Statement detailing surface water containment during construction.

Reason: In order to ensure appropriate mitigation for flood risk.

12. Pursuant to condition 1 – full details of the proposed SUDs shall be submitted to and approved in writing by the planning authority. Thereafter the development shall commence in accordance with these details. These details shall include:

- i) Full details of the proposed design and appearance of the SUDs facility to be designed in accordance with CIRIA C753;
- ii) Detailed design calculations for this facility;
- iii) Details of the proposed drainage of the SUDs facility;
- iv) Details of the proposed maintenance regime and maintenance responsibilities for the SUDs facility.
- v) Soil information to be provided if infiltration SUDs are proposed.

Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

13. Pursuant to Condition 1 – no development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of:

- i) Existing and proposed ground levels in relation to an identified fixed datum;
- ii) Existing landscaping features and vegetation to be retained;
- iii) Location design and materials of proposed walls, fences and gates. This shall include details of a secure boundary between the application site and the disused quarry on the south west corner of the site;
- iv) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
- v) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.
- vi) The proposed landscape plan shall take account of the Design Recommendations (para 4.8) contained within the applicant's supporting Landscape Report dated June 2015 undertaken by Ann Nevett.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

14. No trees overhanging the site shall be lopped, topped or felled other than in accordance with the details provided to satisfy the requirements of condition 9 above.

Reason: In order to protect the trees overhanging the site in the interests of amenity.

15. Pursuant to Condition 1 – no development shall commence until details for the provision and maintenance of proposed areas of communal open space and equipped play area(s) within the development have been submitted to and approved by the Planning Authority. The details shall comprise:

- i) A plan showing the location and extent of communal open space and equipped play areas;
- ii) Provision to satisfy the minimum standards set out in the Development Plan; 6sqm of equipped play space and 12sqm of informal open space per dwelling unit;
- iii) Specification of play equipment to be installed, including surface treatments and any means of enclosure, designed in accordance with the provisions of BS5696 (Play Equipment Intended for Permanent Installation Outdoors);
- iv) Proposals for the timing of the implementation of the play area(s) in relation to the phasing of the development;
- v) A maintenance schedule for communal open spaces and equipped play areas in accordance with the provisions of BS5696 including details of on-going inspection, recording and procedures for detailing with defects.

The communal open space and equipped play area(s) shall be provided in accordance with the duly approved details and shall be retained and maintained to the specified standards thereafter.

Reason: In order to secure provision of communal open space and equipped play areas within the development in accordance with the minimum standards set out in the Development Plan.

16. Pursuant to Condition 1 – no development shall commence until details for the arrangements for the storage, separation and collection of waste from the site, including provision for the safe pick-up by refuse collection vehicles, have been submitted to an approved in writing by the Planning Authority. Thereafter the duly approved provision shall be implemented prior to the first occupation of the dwellings which it is intended to serve.

Reason: In order to ensure that satisfactory arrangements have been made for dealing with waste on the site in accordance with Policy SG LDP SERV 5 (b).

17. Pursuant to condition 1 – no development shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Planning Authority. The provisions of this plan shall be adhered to during the construction period unless any subsequent variation thereof is agreed in writing by the Planning Authority.

Reason: In order to ensure the minimisation of waste generated during construction in accordance with policy SG LDP SERV 5 (b).

NOTES TO APPLICANT

- This consent constitutes a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended and as such does not authorise the commencement of development until matters requiring the further consent of the Planning Authority have been satisfied.
- Application(s) for Approval of Matters Specified in Conditions must be made in accordance with the provisions of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 within the time limits specified in Section 59 of the Act.
- Having regard to Regulation 12, application(s) for the Approval of Matters Specified in Conditions must be submitted within 3 years from the date of which Planning Permission in Principle was granted. The exception being where an earlier submission for the Approval of Matters Specified in Conditions was refused or dismissed on appeal, in which case only one further application in respect of all outstanding matters requiring further approval of the Planning Authority may be submitted within a period of 6 months from determination of the earlier application. Any elements of the Planning Permission in Principle for which further approval of the Planning Authority has not been sought within the time periods summarised above will no longer be capable of being implemented within the terms of this permission.
- The development to which this planning permission in principle relates must commence no later than 2 years from the date of the requisite approval of any matters specified in conditions (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained), whichever is the later. If the development has not commenced within this period, then this planning permission in principle shall lapse.

- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
- Please see the West of Scotland Archaeology Service's consultation comments in respect of the proposed development.
- Please see Scottish Water's consultation response dated 31/5/16.
- The consideration to reduce the 30mph speed restriction should be assessed in conjunction with Police Scotland the Council's Roads officer.
- An application for a Roads Construction Consent is required to be submitted and approved. Thereafter a financial security bond will require to be lodged with the Council's legal services section before any works commence on site.

APPENDIX A – RELATIVE TO APPLICATION NUMBER 15/01794/PPP:

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The application site covers an area of approximately 6 hectares and is located at the north of the settlement of Cardross between Darleith Road and Barrs Road. Cardross is identified as a Key Settlement within the Local Development Plan. The adopted Argyll and Bute Local Development Plan identifies the site as Housing Allocation H2002 with the capacity to accommodate 158 units with 25% affordability. This was a greenbelt release through the Local Development Plan process.

The supporting planning statement accompanying this permission in principle application advises that approximately 140 units are proposed, 35 of which would be affordable units. This falls within the definition of 'large scale' development within the LDP which is a scale of development which is supported within key settlements. Policy LDP 8 – Supporting the Strength of Our Communities is supportive of new sustainable development proposals and states that the Council will maintain a five year effective housing land supply at all times. This site represents one of the allocations within the plan and contributes to the overall housing land supply requirement.

Policy LDP STRAT 1 requires developers to have regard to sustainable development principles when preparing planning application submissions. Some of the elements of this policy do not apply, as this is an allocation within the LDP with no existing buildings on the site. However, other elements of the policy including the utilisation of public transport and active travel networks, biodiversity, landscape character and flooding have all been considered during the assessment of this application. These issues are assessed more fully in this Appendix against more detailed supplementary guidance policies.

Policy LDP 10 seeks to maximise resources and reduce consumption. This requires developments to accord with the settlement strategy, utilise sustainable design principles, minimise waste, avoid areas subject to flood risk and minimise impact on biodiversity. These matters are considered in more detail under the relevant supplementary guidance.

B. Location, Nature and Design of Proposed Development

As this is a Planning Permission in Principle (PPP) application, limited details have been submitted on the detailed design of the proposal. The proposed layouts shown are indicative and have been submitted in order to demonstrate that the proposed development could be achieved in accordance with Local Development Plan policy. Policy LDP 3 requires that developments protect, conserve or where possible enhance the established character of the built environment. The indicative layout plan shows that there is sufficient space to accommodate a development which would be in accordance with this policy. The detail of this aspect requires to be considered within the context of the subsequent application for Approval of Matters Specified in Condition (AMSC).

Policy LDP 9 relates development setting, layout and design. Again, through the use of indicative plans, the applicant has demonstrated that a development of this scale could be accommodated on this site. The supporting planning statement advises that the proposal would include a SuDS area at the western entrance to the site, a large public open space at the centre of the site and a landscape buffer to the north-east. The developer has advised that the houses proposed consist of 2 bed terraced, 3 and 4 bed detached and 3 bed semi-detached houses. All houses would have private amenity space in line with LDP SG requirements, along with areas of public amenity open space to meet standards set out in the local development plan. At this stage, the mix of houses and layout is indicative and this aspect will be assessed in detail at the AMSC stage.

Policy LP HOU 2 requires special needs provision in housing developments. This requires proposals to make provision for the disabled, the frail and elderly, young children and prams and pedestrians and cyclists. As this is a PPP application a condition is proposed to ensure that future details are such as to satisfy the requirements of this policy.

In housing developments where 20 or more units are proposed, Policy SG LDP HOU 3 requires the provision of associated housing green space of both a casual and formal nature. This comprises a minimum of 12m² per unit of casual open space and a minimum of 6m² per unit of equipped children's play space. This policy also requires the developer to maintain and provide public liability insurance for the play space. The indicative plan indicates that there would be sufficient space on the site to accommodate these requirements in order to satisfy Policy SG LDP HOU 3. An appropriate condition is proposed to secure these requirements.

C. Natural Environment

An extended Phase 1 Habitat Survey has been submitted in support of this planning application. This concludes that there are no statutory or non-statutory designated areas for nature conservation within the boundaries of the site. There are six nationally and internationally designated sites located within 5 km of the site, however in the context of this development their qualifying features are not considered to be affected.

Marshy grassland, which is a potential Ground Water Dependent Terrestrial Ecosystem (GWDTE) is located 6 metres outside of the site boundary to the west, separated by Darleith Road. The report recommends that further evaluation of GWDTE and connectivity with a ground water resource is required. It is noted that this could be conducted through clarification with SEPA. SEPA in their consultation response dated 14th July 2015 has advised that: *"this area is very small (0.55ha) and outwith the site boundary. There is also a watercourse running through the habitat, suggesting it may not be ground water dependent. Given the type and size of the habitat identified, we consider it is unlikely to be impacted by the development and that a National Vegetation Classification (NVC) is not required."*

Taking account of the above, it is considered that the proposal would accord with Policy LDP 3 and SG LDP ENV 1 in that full consideration has been given to the impact of the development on nature conservation interests. It is not considered that the development of this site would have a significant adverse impact on biodiversity.

D. Archaeological Issues

Local Development Plan Policy LDP 3 and Supplementary Guidance Policy SG LDP ENV 20 presume in favour of retaining, protecting, preserving and enhancing the existing archaeological heritage and any future discoveries found in Argyll and Bute. The West of Scotland Archaeological Service (WoSAS) has advised that that the site lies in an area fairly rich in archaeological remains from the prehistoric and medieval periods. There is a strong potential for further buried remains to survive within the proposed development area based on the density of sites and finds from earlier periods in the surrounding landscape and the large area of undisturbed ground involved in the application. WoSAS has further advised that the best way to deal with the issues raised is to undertake an archaeological evaluation of the development area in advance of the application being determined. This would allow the character and extent of any archaeological remains to be determined and allow the likely costs of appropriate mitigation to be determined. This would consist of a trial trenching programme consisting of a distributed 8% sample of the full application area.

WoSAS has also stated that if this is not possible a suspensive condition is recommended. While this would allow complex archaeological issues to be addressed, this approach would limit opportunities to amend designs or operations to achieve the preferred preservation of the remains in situ.

As this application is for a planning permission in principle, there is an opportunity to require an archaeological evaluation which, if archaeological remains were to be uncovered, could inform the design before it proceeds to the stage of an AMSC application. A condition is therefore proposed which requires a trial trenching programme as advised by WoSAS. This approach would be in accordance with the provision of the above policies where they relate to archaeology.

E. Landscape Character

The site is currently in active agricultural use in the form of an open grazing field and is generally bounded by hedgerows with the field itself being gently undulating. The Argyll and Bute Greenbelt Landscape Study dated February 2010 undertaken by Ironside Farrar concluded that the site was of moderate landscape and scenic value and therefore of moderate susceptibility to development. By virtue of its inclusion within the LDP as a housing allocation and taking account of the greenbelt landscape study, it has already been accepted that in principle this is a suitable housing site in landscape terms. Subject to an acceptable layout and good landscaping secured at the AMSC stage, the proposal would accord with policy SG LDP ENV 14.

A Landscape Report has been submitted in support of this application.

This report makes a number of design recommendations for incorporation into the site layout at the detailed design stage. These are as follows:

1. **Retained Roadside Hedge:** Manage at a height suitable to retain the recreational amenity of Darleith Road and integrate with the landscape character of the character of the agricultural landscape to the west;
2. **Retained greenspace / community woodland:** Establish open community woodland on the valley side of the Geilston Burn to integrate with woodland in the south west corner and around Geilston gardens and to screen the proposed housing in gateway views. This area provides an opportunity for drainage, SUDs and regrading etc prior to planting. The description community woodland intends mainly open areas with only some planting on the lower slopes to maintain the current amenity of the lane;
3. **Boundary treatment adjacent to mature trees outwith the site and thus outwith the control of the applicant:** Plant dense thicket planting, with no tree species in fully fenced areas to restrict access, as per the zones identified in the agricultural constraints plan;
4. **Boundary treatment adjacent to former quarry edge:** Secure by design, to reduce the risk for future residents for example by the provision of high secure fencing at the site boundary at an appropriate distance. This high fencing combined with fenced thicket planting, as point 3, can serve both purposes;
5. **Tree lines:** Plant trees at the site boundary and new greenbelt boundary:
 - 5a – along the hedgeline at the site's northern boundary to strengthen this as part of the new greenbelt boundary. This will provide appropriate landscape integration with the agricultural field to the north. (A full width treebelt is not

considered essential, as this section of the boundary is not visible from public viewpoints);

5b – along the eastern boundary to retain the amenity of Barrs Road as a recreational route and compensate for the loss of long rural views west from the Kilmahew Avenue area;

6. **Proposed woodland / structure planting:** Establish new woodland on the higher ground at the north east, to retain recreational amenity and screen eyelevel views of proposed housing, when approaching Cardross from the north along Barrs Road. (6a demonstrates the option for off site woodland planting as a treebelt);
7. **Relocate the footpath sign to a new location at the new settlement edge**
8. **Development area with village greens within housing layout:** Provide amenity open space of grass and trees as secure overlooked greenspace. These areas are an opportunity for earth modelling and / or could include some play features if required.

A condition is proposed requiring the development to accord with these recommendations.

F. Affordable Housing

Policy SG LDP HOU 1 states that housing developments of 8 units or more will generally be expected to contribute a proportion (25%) of units as on-site affordable housing. The allocation schedule confirms that 25% affordable housing is required for this specific site. Further details on the delivery of affordable housing is contained within the council's Supplementary Guidance note "Delivery of Affordable Housing". The applicant's supporting planning statement contains a statement on affordable housing where it is noted that the applicant plans to provide 25% affordable housing on site, however the mechanism for delivery is not discussed within this statement. The LDP SG advocates a sequential approach to the delivery of affordable housing and provision on site is a preferred approach which in accordance with Development Plan policy and guidance. A condition is proposed in order to ensure the acceptable delivery and phasing of affordable housing. Subject to an acceptable method of delivery being proposed at the AMSC stage, the proposal would comply with policy SG LDP HOU 1 and the Supplementary Guidance note on the delivery of affordable housing.

G. Road Network, Parking and Associated Transport Matters.

The proposed development lies to the north of the existing settlement of Cardross. This means that any traffic generated through the site will require to travel through the existing residential road network in order to access the main A814 which provides links to Helensburgh and Dumbarton and beyond. Access to the site has been a key issue in the consideration of this planning application as the existing road network in its current condition is not considered suitable to provide this access.

The site is bounded to the west by Darleith road and to the east by a farm track which extends north from Barrs Road. The development site would be served to the west by Darleith Road and to the east by the use of Barrs Road and Muirend Road with supplementary support from Kilmahew Avenue, Kilmahew Drive, Hillside Road and Richie Avenue.

The Council's roads service has highlighted a concern that the movement of additional traffic from the site through this area has the potential to conflict with the existing residential community. This area of Cardross has grown in size over the years with no improvements to the original road network and with the increase in car ownership the

demand on the road has increased. At present within this residential area there are numerous driveways which require reversing movements to gain access and egress from properties and dwellings which have no facility to provide off-street parking, resulting in regular on street parking and some areas with continuous rows of parked cars resulting in widths too narrow to permit cars to pass in opposite directions.

Both Muirend Road and Darleith Road form junctions with the A814 and an assessment of the visibility sightlines has indicated that Darleith Road is best served to accommodate the increase in traffic flows.

Consideration has also been given to pedestrian and cycle routes to existing facilities in the village including the train station. As the local school can be easily accessed from the east and all the main facilities are to the east of the site, it is considered that pedestrian and cycle links should be prioritised to the east using the existing road and footway network. This again supports the view that vehicular access should be considered primarily to the west of the site.

Taking account of the above factors, the Council's roads service has recommended that Darleith Road should be the primary vehicular route, however, road improvements are required to facilitate this. These include the provision of a traffic calming scheme including a 'give and take' priority on Darleith Road between Barrs Terrace and the site entrance. The formation of this 'give and take' priority also requires the provision of 10 new off-street car parking spaces to compensate for loss of existing on street parking to ensure residents retain parking spaces close to their homes. This will require the procurement of third party land on the west side of Darleith Road.

The provision of a 5 metre carriageway with associated verges between Mill Road and the site entrance on Darleith Road is also required as is a passing place to the north of the proposed site entrance to allow large vehicles to pass in opposite directions.

The developer's transport statement has indicated their desire to split the traffic from the development 60 % to the west and 40% to the east. At the time when the allocation was being considered as a housing site within the local development plan, it was the roads service's view that all traffic onto the A 814 was to be via Darleith Road subject to road improvements. This 60/40 split would result in 54 dwelling homes being served by the eastern route and given this is the desired pedestrian/cycle route as earlier explained, this would have a detrimental the impact on the existing residents. The roads officers maintain their view that for the reasons of road safety this is not acceptable, however, with the traffic data submitted there is now support to permit 10 to 15 dwelling houses to be served by this eastern route with an absolute maximum of 20 dwelling houses. This will allow the developer scope within the design to create a desired layout without a significant impact on the existing road network on the eastern side.

Following further detailed discussions with Council officers and the developer, there is an agreement that the development layout will ensure that the eastern vehicular route will be restricted to no more than 20 dwellings. In addition, the developers have committed to the provision of additional off street parking on Darleith Road to compensate for the loss of on street parking as a result of new traffic calming being introduced on Darleith Road. This requires the developer to secure additional land and a commitment has been given to engage with the third party landowner(s). Furthermore, a topographical survey is to be undertaken in order to establish the exact limits of the public road corridor on Darleith Rd between Mill Road and the proposed site access. Should there be insufficient width on this upper section to accommodate the necessary road improvements, additional land will be required. To ensure that all these proposed road improvement can be delivered, the developer has agreed to submit a series of technical drawings to illustrate the deliverability of these essential improvements to support the development.

A further concern is the Main Road (A 814) through Cardross which serves the local community and also serves as a main distributor road with the Helensburgh & Lomond Area. In particular, this road carries traffic generated by Clyde Naval Base at Faslane and this department frequently receives complaints from the local community in relation to speeding traffic and difficulties while trying to cross the road. It is proposed to introduce additional gateway features at each end of the village and traffic calming measures through the village.

Conditions are proposed in order to secure these road safety requirements.

Policy LDP 11 requires development to have good connectivity and infrastructure. The transport policies within the supplementary guidance of the LDP provides further detail on this aspect.

Policy SG LDP TRAN 1 relates to access to the outdoors. There are no designated routes within the site, however, core paths are located immediately to the east and west. Consideration has been given to pedestrian and other non-motorised uses when assessing the transport implications of this development. It is considered that subject to conditions, the development would not have a significant impact on core paths and policy SG LDP TRAN 1 would therefore be complied with.

Policy SG LDP TRAN 2 requires development to take advantage of existing or potential public transport facilities and requires an appropriate internal layout for encouraging pedestrian and cycle access. It is considered that subject to the specified improvements, this site has the potential to provide good access to both the railway station and bus routes on the A814, thus complying with policy SG LDP TRAN 2.

Special needs access including servicing access is also a consideration. As this is a planning permission in principle application, the internal road layout has not yet been finalised. A condition is therefore proposed in order to ensure the detailed plans comply with policy SG LDP TRAN 3.

Policy LDP TRAN 4 requires that a development of this size be served by a public road constructed as specified in the Council's Road Development Guide whilst also taking account of the policy document Designing Streets. This issue will be considered in details at the Approval of Matters Specified in Conditions (AMSC) stage and again a condition is proposed to ensure the submission of appropriate information.

As noted above, off-site road improvements are necessary in the interests of road safety. This approach is fully in accordance with policy SG LDP TRAN 5.

Within the site, the provision of off-street car parking is required to be provided in accordance with policy SG LDP TRAN 6 to a standard laid out in the LDP supplementary guidance. A condition requiring this is proposed.

H. Flooding and Drainage

A Flood Risk Assessment and Drainage Strategy has been submitted in support of this planning application. Both SEPA and the Council's Flooding Consultant have been consulted on this application. SEPA has confirmed that it is satisfied with the contents of the Flood Risk Assessment and that there are no objections. In terms of the SEPA Flood Map (2014), the site lies outwith the indicative area of flooding.

The Council's Flood Risk consultant has noted that while no history of the site flooding has been supplied, previous flooding in the Cardross area has occurred as a result of drainage issues. In order to address this a cut-off ditch or similar is to be provided at the northern border of the site to reduce surface water flood risk. Further details are also

required by condition including detailed drainage plans and calculations as well as a method statement detailing surface water containment during construction. A finished floor level between 0.3 metres and 0.6 metres above finished ground levels is required.

The Drainage Strategy notes that SUDS are proposed in accordance with SEPA and CIRIA guidelines and will include filter trenches, permeable paving and a detention basin. A condition is proposed requiring more details of SUDS including provisions for maintenance at the AMSC stage. Taking account of the above and subject to the submission of acceptable information at the AMSC stage, the application would accord with policies SG LDP SERV 2, SG LDP SERV 3 and SG LDP SERV 7 where they relate to drainage, SUDS and flooding.

I. Infrastructure

Scottish Water has not raised any objection to the proposal although it is noted that their response does not confirm that the proposed development can currently be served (in which case any augmentation required would be at the developer's expense). It is noted that Alexandria Water Treatment Works and Ardoch Waste Water Treatment Works have sufficient capacity for the proposed development. Further guidance for the developer is contained within Scottish Water's consultation response.

This application has been assessed on the basis that it would be served by both public water and sewerage connections. Subject to these being achieved it is considered that the proposal would accord with the provisions of the Local Development Plan and policy SG LDP SERV 1 where it relates to the requirements for public sewerage connections.

J. Waste

Policy LDP SERV 5(b) requires detailed application for medium or large scale developments to provide details of the arrangements for storage, separation and collection of waste to be submitted. The policy also requires the submission of a Site Waste Management Plan which shall ensure the minimisation of waste during the construction phase. A condition is proposed to ensure that this issue is fully addressed at the AMSC stage.