



PLANNING APPLICATIONS COMMITTEE

Report by Executive Director of Development and Regeneration Services

Contact: Ms S Shaw Phone: 0141 287 6066

ITEM 1 (i)

29th November 2011

APPLICATION TYPE Full Planning Permission

RECOMMENDATION Grant Subject to Condition(s) and S69 and S75 Legal Agreement

APPLICATION 11/01411/DC

DATE VALID 15.07.2011

SITE ADDRESS Site Formerly Known As 179 Muirshiel Crescent Glasgow

PROPOSAL Erection of 80 dwellings including associated parking, roads, landscaping, play area and SUDS basin.

APPLICANT Sanctuary (Scotland) Housing Association
Per Mrs Eleanor Derbyshire
Sanctuary House
7 Freeland Drive
Glasgow
G53 6Pg

AGENT Oliver And Robb Architects
Per Campbell Reid
Pitreavie Drive
DUNFERMLINE
KY11 8UH

WARD NO(S) 03, Greater Pollok

COMMUNITY COUNCIL LISTED 02_089, Levern And District

CONSERVATION AREA

ADVERT TYPE

PUBLISHED 29 July 2011

CITY PLAN Residential

REPRESENTATIONS/ CONSULTATIONS

No representations

Consultations:

- Scottish Water: - No objection but Drainage Impact Assessment required to assess the proposal adequately. SUDS required.
- Sportscotland: - Financial compensation required for the loss of the blaes pitch at the former primary school on the site.
- Land and Environmental Services - Cleansing: No objection.
- Land and Environmental Services - Parks: no response to date.
- Land and Environmental Services - Suggested condition.
- SEPA: Confirmed that the proposed design of a detention basin and pond would be capable of meeting the CAR Regulations in that it would provide two levels of treatment.

Background

A Pre Application notification application (11/00522/DC) was made earlier in 2011.

Pre-application consultation was carried out with the local community as the application falls within the category of Major applications. The applicants submitted feedback forms which raised one main concern, that of the location of the proposed play park. The location of the play park has been changed in the detailed submission.

Discussions have taken place between the applicants and the planning officers to try and resolve certain concerns on the site, particularly in relation to drainage.

SITE AND DESCRIPTION

The site is the location of the former Burnbrae Primary School, now demolished. The site is divided into two main levels, one up beside the turning loop at the end of Priesthill Road; the site then slopes steeply downhill and then levels out sloping gently towards the Brock Burn. The area of the site is 2.77 hectares. There are some small trees and bushes on the boundaries and across the sloping area of the site.

The applicants propose 80 houses with a mix as follows:

- 1 x 3 bed 5 person wheelchair unit
- 32 x 2 bed 4 person house
- 36 x 3 bed 5 person house
- 2 x 4 bed 6 person house
- 2 x 5 bed 7 person house

Of these, 36 will be shared equity and 44 social housing for rent. All housing is two storey except for 4 single storey bungalows providing the wheelchair and wheelchair adaptable housing. The main building material is brick with elements of render, and grey concrete roof tiles.

Parking is provided in-curtilage with on-street visitor parking.

A design statement has been submitted by the applicants, together with a Flood Risk Assessment and Drainage Impact Assessment. A SUDS pond and retention basin has been shown on the plans which would provide a piped outfall to the Brock Burn. A children's play area is shown and also amenity space through the site, mainly on the sloping bank which runs through the middle of the site.

POLICIES

DEV2	Residential and Supporting uses
DES 1	Development Design Principles
DES 2	Sustainable Design and Construction
DES 12	Provision of waste and recycling space
ENV2	Open Space and Public Realm Provision
RES 1	Residential Density
RES 2	Residential Layouts
RES 4	Barrier Free Homes
TRANS 4	Parking Standards
TRANS 6	Cycle Provision
ENV 4	Sustainable Urban Drainage Systems
ENV 5	Flood Prevention and Land Drainage

ASSESSMENT AND CONCLUSIONS

The site is covered by a Residential land use designation in the City Plan Development Policy Principles (DEV 2) and as such the site is suitable in principle for housing. The application is being referred to Committee due to the Council interest in the site.

The site is located in an area considered to have Base accessibility to public transport, in the outer urban area. Policy RES 1 Residential Density looks for a maximum of 50 dwellings per hectare on such sites. The proposed density for this development is 29 units to the hectare.

The proposal accords with Policy RES 2 in terms of house orientation, access, privacy and aspect. Private usable garden space is provided for all houses.

Policy RES 4 requires a proportion of new social rented housing to meet the full wheelchair standard. Ten per cent of every development should be provided to full wheelchair standard or be readily adaptable to meet this standard. The applicants have indicated that one unit is being provided as a wheelchair unit and three further single storey dwellings have been provided which are accepted as being readily adaptable to wheelchair standard. The full policy requirement would be eight units but the applicants have stated that they cannot provide any further units without changing their proposed house types and this would have an effect on the number of units they could fit into the layout.

The proposal complies with TRANS 4 in that each dwelling has an allocated car parking space and there is sufficient on-street car parking available for visitors. Safe and secure cycle parking should be available as all units have side access to private rear gardens, thus meeting the standards of TRANS 6.

ENV 4 and 5: the Flood Risk Assessment confirmed that there was no risk of flooding to the site from the Brock Burn beside the site, apart from a small area in the north east corner of the site. The applicants have omitted housing from this corner and have located their SUDS pond and detention basin in this, the lowest lying area of the site. No other sustainable urban drainage features are proposed for the site, which means that all the drainage from roofs and driveways ("in-curtilage" drainage) and all the roads drainage will go to the SUDS pond and basin. This feature will not only attenuate the water by holding on to it in a heavy rainfall event and releasing it slowly into the burn, but it will also provide two levels of treatment by its design. This aims to ensure that the surface water would be sufficiently free of pollution when it enters the watercourse to meet SEPA's requirements. The basin also needs to provide attenuation for ground run-off from the surrounding area as there is no other overland flow route for the water except through the site. The SUDS pond and basin thus forms a large part of the site and is significantly larger than shown in the original submission, which was made before the drainage implications had been fully worked out by the applicant. It is not clear if the design of the feature is adequate to allow maintenance by the relevant bodies (Scottish Water and/or Glasgow City Council) and thus a condition is suggested to allow further detail to be agreed before works start on this feature.

DES 2 seeks an EcoHomes "Very Good" rating for the development to ensure that the construction is as environmentally sustainable as possible. The applicants have submitted a consultant's report to show that on a pre-assessment basis they can reasonably expect such a rating.

Land and Environmental Services have confirmed that the development proposed should be able to meet the requirements of DES 12 with regards to the provision of waste and recycling space and the collection of such waste.

The applicants have retained an area of open space across this site which is undevelopable for housing but will provide an attractive landscaping feature which will be boosted by further tree planting. A small children's play park is proposed which will also be accessible from the adjacent park. They have therefore gone some way to meet the requirements of Policy ENV 2 which encourages the provision of open space on site; the balance of the full requirement (£10, 908) will be met by a financial contribution which will be the subject of a legal agreement between the Council and the developer.

It should be noted that the redevelopment of this former school site also removed a playing pitch associated with the school. A compensatory payment will be required to address any shortfall in playing pitch facilities for the wider area due to this loss. SportsScotland have calculated this compensation at £64,382. This payment will be made by the applicant and a legal agreement will be required between the Council and the developer prior to the issue of planning permission.

The overall design and use of landscaping features and materials is addressed in Policy DES 1. The scheme provides for pedestrian access through the site to the park beyond and also to the main road frontage (Muirshiel Crescent). The scale, massing and materials of the proposed houses are in keeping with the surrounding area. The site is constrained by its topography which did not allow for a road linking the two parts of the site, so the upper part is unconnected with the lower part, but pedestrian paths will be provided to provide access from this part to the play area.

It is therefore recommended that planning permission be granted subject to the following conditions and the relevant legal agreement.

Additional Information:

Planning legislation now requires the planning register to include information on the processing of each planning application (a Report of Handling) and identifies a range of information that must be included. This obligation is aimed at informing interested parties of factors that might have had a bearing on the processing of the application. Some of the required information relates to consultations and representations that have been received and is provided elsewhere in this Committee report. The remainder of the information, and a response to each of the points to be addressed, is detailed below.

A. Summary of the main issues raised where the following were submitted or carried out

i. an environmental statement

Not applicable to this application. The application is Schedule 2 development in terms of the 2011 Environmental Impact Assessment Regulations but a Screening Opinion determined that the proposal did not need an Environmental Assessment as it did not affect a sensitive area and the characteristics of the impact would not be significant.

ii. an appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994

Not applicable to this application

iii. a design statement or a design and access statement

A design statement was submitted with the application.

iv. any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)

A flood risk assessment was submitted with the application and this issue is addressed above. No transport assessment was required.

B. Summary of the terms of any Section 75 planning agreement

The Section 75 agreement will allow for a financial contribution towards the shortfall in open space as required by City Plan; this contribution will go towards the provision or upgrading of recreational or amenity space in the vicinity.

C. Details of directions by Scottish Ministers under Regulation 30, 31 or 32

These Regulations enable Scottish Ministers to give directions

- i. with regard to Environmental Impact Assessment Regulations (Regulation 30)

Not applicable to this application

- ii. 1. requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31)

Not applicable to this application

2. restricting the grant of planning permission

Not applicable to this application

- iii. 1. requiring the Council to consider imposing a condition specified by Scottish Ministers

Not applicable to this application

2. requiring the Council not to grant planning permission without satisfying Scottish Ministers that the Council has considered to the condition and that it will either be imposed or need not be imposed.

Not applicable to this application

CONDITIONS AND REASONS

01. The development shall be implemented in accordance with drawing number(s)

Location Plan 4743 D LP001

Site Layout 4743 D SP003 Rev Y

Site Sections 4743 D SE002 Rev B

House Type A Plans 4743 D PL001 Rev A

House Type B semi-detached Plans 4743 D PL002 Rev A

House Type B terraced Plans 4743 D PL003 Rev A

House Type C semi-detached Plans 4743 D PL004 Rev B

House Type C terraced Plans 4743 D PL005 Rev B

House Type D semi-detached Plans 4743 D PL006 Rev B

House Type E semi-detached Plans 4743 D PL007 Rev B

House Type F plans 4743 D PL008 Rev A

House Type A Elevations 4743 D EL001 Rev A

House Type B Elevations semi-detached 4743 D EL002/1 Rev A

House Type B Elevations semi-detached with gable and corner windows 4743 D EL002/2 Rev B

House Type B Elevations terrace 4743 D EL003/1 Rev A

House Type C Elevations semidetached 4743 D EL004/1 Rev A

House Type C Elevations semi-detached with gable and corner windows 4743 D EL004/2 rev B

House Type C Elevations Terrace 4743 D EL005/1 Rev A

House Type D Elevations 4743 D EL006

House Type E Elevations 4743 D EL007 Rev A

House Type F Elevations 4743 D EL008

as qualified by the undernoted condition(s), or as otherwise agreed in writing with the Planning Authority.

Reason: As these drawings constitute the approved development.

02. Before any works commence on site, details of the surface water drainage proposals including the SUDS features, and confirmation of the future maintenance of the scheme, including confirmation from the relevant maintenance bodies, shall be submitted to the planning authority for written approval. No work should start on site until this written approval has been issued.

Reason: To minimise the risk of flooding and its adverse effects.

03. Access for maintenance to the SUDS feature shall be by way of a 3.5m wide path which joins the adopted road. This path must not encroach on any private ground within the curtilage of a house.

Reason: In order to safeguard residential amenity.

04. The allocated parking spaces for houses shall be within the curtilage of the house and shall not be located in front of the windows of adjacent houses. The layout of Plot 33 is therefore not approved and alternative arrangement shall be submitted to the planning authority for written approval before works start on site.

Reason: In order to safeguard residential amenity.

05. Pedestrian footpaths shall be provided which link the existing footpath in Priesthill Park to the new culs de sac adjacent to plots 16/18 and adjacent to plots 36/37. Details of the location of the paths and their design and construction shall be submitted to the planning authority before works start. House plots 36 and 37 shall not encroach any further on the land available for the footpath between the plots. The pedestrian footpaths shall be provided before the adjacent plots are occupied. [To allow pedestrian access to neighbouring facilities]

Reason: In order to provide access to amenity space.

06. Details of the proposed children's play area shall be submitted for written approval of the planning authority before any works commence on site. The play area shall include provision for play for 4-10 year old children and shall include suitable equipment and landscaping; the proposal should use the topography of the site rather than seeking to level out the whole area. [To provide for adequate play facilities and meet the requirements of City Plan Policy ENV 2]

Reason: In order to meet the recreational needs of the residents.

07. The area shown as open space adjacent to the SUDS feature shall have seating and be landscaped for amenity use. Details of the layout, planting and seating shall be submitted to the planning authority for written approval before the commencement of works on site. This landscaping and seating shall be provided within the first planting season following the occupation of any dwellings. [To provide for the amenity of the residents of the site]

Reason: To provide for the amenity of the residents.

08. In the event that any previously unidentified contamination is found at any time when carrying out the approved development, it shall be reported in writing to the planning authority within one week. A comprehensive contaminated land investigation, including risk assessment and remediation strategy, shall be carried out as required by the planning authority. The approved remediation works shall be carried out prior to the recommencement of development on the affected part of the site.

Reason: To ensure the ground is suitable for the proposed development.

09. Before any work on the site is begun, a scheme of landscaping shall be submitted to and approved in writing by the planning authority. The scheme shall include hard and soft landscaping works, additional trees, all boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. All landscaping, including planting, seeding and hard landscaping, shall be completed in accordance with the approved scheme.

Reason: To ensure that favourable conditions are created for survival of the planting.

10. Before any work on the site is begun, a detailed plan which shows the exact location of all existing trees on the site shall be submitted to and approved in writing by the planning authority. An accompanying schedule shall include information on species, height, canopy spread, base level and condition. The plan and schedule, ie the tree survey, shall also indicate those trees which it is intended to retain and those which it is intended to remove.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

11. With the exception of tree works detailed in the approved application, existing trees on the site shall not be lopped, topped, felled or removed without the prior written approval of the planning authority. Details of such trees and the proposed operations on each of them shall be submitted to the planning authority. Any proposals for felling or removal shall include proposals, including a programme, for replacement tree planting.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

12. Before any work on the site is begun, a detailed plan which shows the location and details of a method of tree protection to comply with BS 5837 2005, Trees in Relation to Construction, shall be submitted to and approved in writing by the planning authority. The approved protection shall be in place prior to the commencement of any work on the site and shall be retained in place until completion of the development.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

13. The minimum depth of topsoil shall be 150mm for grass areas, 450mm for shrub areas and 900mm for trees on clean subsoil free from builder's rubble and other deleterious materials. Topsoil shall be free from pernicious weeds and shall have a pH value of approximately 7.0.

Reason: To ensure that favourable conditions are created for survival of the planting.

14. Before any work on the site is begun, a maintenance schedule for the landscaping scheme/open space, and details of maintenance arrangements, including the responsibilities of relevant parties, shall be submitted to and approved in writing by the planning authority.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

15. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

16. Topsoil, subsoil and overburden shall be carefully stored in separate heaps so as to preclude mixing. Topsoil mounds shall not exceed 2 metres in height. Subsoil mounds shall not exceed 3 metres in height. Overburden mounds shall not exceed 6 metres in height. Topsoil, subsoil and overburden shall be re-laid over the site in their natural sequence.

Reason: To ensure that favourable conditions are created for survival of the planting.

17. The proposed landscaping scheme shall include additional tree planting to replace existing trees lost on site. Details of the species and location shall be agreed in writing before the trees are provided. The trees shall be planted in the first planting season following occupation of any units on site.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

18. None of the boundary treatments on the boundaries with the roads (existing and proposed) are hereby approved. Alternative boundary treatments shall be submitted to the planning authority for written approval before works begin on site.

Reason: In order to protect the visual amenity of the surrounding area.

19. The following plots shall have corner or gable windows on all floors to allow for overlooking of open space and the street: Plots 32 , 33 and 36; Plots 16 and 18; Plots 56, 59 and 71; Plot 73, Plots 76 and 77; Plot 80.

Reason: In the interests of security and residential amenity.

20. Details of the materials proposed for the driveways shall be submitted to the planning authority for written approval before works commence.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

21. External materials shall be mainly facing brick with elements of render and concrete roof tiles. Details of the brick and other materials specification shall be agreed in writing with the planning authority before they are used on site.

Reason: In order to protect the visual amenity of the surrounding area.

22. Vehicular access shall be taken via a dropped kerb footway crossing in accordance with Figure 10.16 of the Glasgow City Council Roads Development Guide.

Reason: To ensure that the access complies with approved standards in the interests of pedestrian and vehicular safety.

23. The car parking area(s)/space(s) shall be permeable but shall exclude loose material. It/they shall be available for use before the development/the part of the development served by the car parking in question, is occupied.

Reason: To attenuate drainage from the site in the interest of flood control; to keep the road free of loose material in the interests of pedestrian and vehicular safety; and to ensure that car parking is available for the occupiers/users of the development.

24. No loose surface material shall be used on the first 2 metres of the driveway(s) from the front boundary of the curtilage.

Reason: To keep the road free of such material in the interests of pedestrian and vehicular safety.

25. All redundant footway crossings shall be removed and the footway(s) reinstated to match the dimensions of the existing footway(s) as soon as the access(es) serving the development is/are available for use by the occupiers of the development.

Reason: In the interests of pedestrian safety.

26. The gradient of the driveways and footways shall be no greater than 10%.

Reason: In the interests of pedestrian and vehicular safety.

27. Any access gates shall open inwards only.

Reason: To ensure that gates do not obstruct pedestrian or vehicle movement or create a safety hazard.

28. The footway and carriageway shall be made good, and any road lining and marking relating to the school removed when the properties fronting Muirshiel Crescent are constructed. All driveways shall be by way of dropped kerbs.

Reason: In the interests of pedestrian and vehicular safety.

REASON(S) FOR GRANTING THIS APPLICATION

01. The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

ADVISORY NOTES TO APPLICANT

01. Prior to implementation of this permission, the applicant should contact Land and Environmental Services (Roads) at an early stage in respect of legislation administered by that Service which is likely to have implications for this development

02. The applicant is advised that the decision notice hereby attached should be accompanied by docketed plans.

03. The applicants are reminded of the following policies of Land and Environmental Services (Cleansing):

REFUSE CONTAINMENT

It is the responsibility of the developer/owner to purchase the agreed means of refuse containment.

WHEELED BIN REFUSE COLLECTION

Where the developer is planning a wheeled bin method of refuse containment and collection, the conditions governing this system must be complied with, ie that the wheeled bin is presented at/and collected from, the agreed location (kerb side, air space etc) on the advised day of refuse collection by the owner/tenant/caretaker etc.

04. The applicant is advised that the granting of planning permission does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build, or maintain, this approved development. Such consent should be obtained prior to the commencement of works on site.

05. The primary responsibility for safeguarding land or property against flooding remains with the owner. Approval of this application does not imply the absence of flood risk. Development at risk of flooding may face difficulties with the cost or availability of insurance and the applicant may wish to seek the views of insurers at an early stage.

06. The applicant is advised that, if the proposals are altered in any way from those shown on the docketed drawings, for example as a result of obtaining any of the other statutory consents or for any other reason, they should so inform the planning authority and submit copies of the amended proposals in order that a view may be taken as to whether the alterations are material or not and whether a fresh application will be required.

07. The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:
- Collapse of shallow coal mine workings.
 - Collapse of, or risk of entry into, mine entries (shafts and adits).
 - Gas emissions from coal mines including methane and carbon dioxide.
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
 - Transmission of gases into adjacent properties from underground sources through ground fractures.
 - Coal mining subsidence.
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out of their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. 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 Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

08. Construction and/or demolition work associated with this development should conform to the recommendations/standards laid down in BS5228 Part 1: 1997 "Noise and Vibration Control on Construction and Open Sites". Best Practicable Means as defined in Section 72 of the Control of Pollution Act 1974 should be employed at all times to ensure noise levels are kept to a minimum.
09. The applicant should consult Scottish Water concerning this proposal in respect of legislation administered by that organisation which is likely to affect this development. In particular, sustainable drainage systems (SUDS) should be designed and constructed in accordance with the vestment standards contained in "Sewers for Scotland", 2nd edition 2007.

The applicant is advised that, where drainage systems including SUDS are not vested in Scottish Water, it is the applicant's/developer's responsibility to maintain those systems in perpetuity or to make legal arrangements for such maintenance.

10. Measures to maintain road drainage should be identified and agreed with Land and Environmental Services (Roads) before any work begins on site.

ADVISORY NOTES TO COUNCIL

01. This proposal requires that docketed plans should accompany the decision notice in the case of this application.

for Executive Director of Development and Regeneration Services

DC/ SSH/L
18/11/2011

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