

## DEVELOPMENT QUALITY REPORT

Application Number: TP/ED/13/0686 Application Type: Approval of Matters Specified in Conditions

<p><b>Proposal</b> Development of 135 residential dwellings comprising 27 detached, 19 terraced/semi-detached, and 89 flatted units including all associated landscaping, roads and drainage infrastructure.</p>	<p><b>Site</b> Kilmardinny Site Incorporating Allander Sports Centre Superstore And Former Bus Depot Milngavie Road Bearsden East Dunbartonshire</p>
<p><b>Applicant</b> Mr Andrew Dimmer CALA Homes (West) Limited Cairnlee House Callendar Business Park Callendar Road Falkirk FK1 1XE</p>	<p><b>Agent</b></p>
<p><b>Date of Application</b> 10 September 2013</p>	<p><b>Date of Validation</b> 15 October 2013</p>
<p><b>Local Plan</b> East Dunbartonshire Local Plan 2</p>	<p><b>Community Council</b> Bearsden North Community Council</p>
<p><b>Ward</b> Bearsden North</p>	<p><b>Advert</b></p>
<p><b>Recommendation</b> Grant subject to (a) the approval by the Planning Authority of the details required by conditions 2(b)-(1) of Planning Permission Reference TP/ED/12/0530; (b) the entering into of an appropriate legal agreement to secure the planning obligations contained in conditions 18,19 and 20 of Planning Permission Reference TP/ED/12/0530; and (c) conditions.</p>	<p><b>Target Determination Date</b> 14 December 2013</p>
<p><b>Case Officer</b> Mahlon Fautua 0141 578 8509</p>	<p><b>Decision Type</b></p>

## 1. DESCRIPTION

Development of 135 residential dwellings comprising 27 detached, 19 terraced/semi-detached, and 89 flatted units including all associated landscaping, roads and drainage infrastructure.

The applicant seeks Approval of Matters specified in Conditions in accordance with Planning Permission in Principle reference TP/ED/12/0530 (PPiP). Planning Permission in Principle was granted at appeal on 21<sup>st</sup> June 2010 with a subsequent section 42 being granted to vary certain conditions in December 2012. This development is the first phase of the Kilmardinny Masterplan.

As there is an objection received from the Bearsden North Community Council and Milngavie Community Council, the determination of this application is delegated to the Planning Board.

## 2. SITE HISTORY

**Planning Application:** TP/ED/02/0575

**Description:** erection of 96 flats and 40 dwelling houses with associated roads and ancillary works

**Status:** Withdrawn

**Decision Date:** 31.12.2003

**Planning Application:** TP/ED/04/1279

**Description:** mixed-use development including residential, offices, sports facilities, rail halt with park & ride facilities, open space, landscaping, walkways, cycleways and formation of new access roads (in outline)

**Status:** Refused by Planning Board

**Decision Date:** 9/11/2009

**Appeal Case:** PPA/200/242 (TP/ED/04/1279)

**Description:** mixed-use development including residential, offices, sports facilities, rail halt with park & ride facilities, open space, landscaping, walkways, cycleways and formation of new access roads (in outline)

**Status:** Appeal Allowed

**Decision Date:** 21/06/2010

**Pre-Application Consultation:** TP/ED/12/0247

**Description:** Proposal of application notice for mixed use development including housing, offices, sports facilities, rail halt with park-and-ride, open space, landscaping, walkways and formation of new access roads, (as consented TP/ED/04/1279 and appeal PPA/200/242)

**Status:** Statutory time-frame completed

**Planning Application:** TP/ED/12/0530

**Description:** Section 42 application for the submission of a revised Kilmardinny Masterplan, showing revised location for the Allander Sports Centre and for the alteration of planning conditions 1,2,18 and 19 of planning permission no. TP/ED/04/1279 (appeal ref: PPA/200/242) for mixed use development including housing, offices, sports facilities, rail halt with park-and-ride, open space, landscaping, walkways and formation of new access roads.

**Status:** Granted

**Decision Date:** 06/12/2012

## 3. POLICY CONTEXT

### National Planning Policy and Guidance

- Scottish Planning Policy (SPP)
- Designing Places
- Designing Streets
- PAN 61 - Planning And Sustainable Urban Drainage Systems
- PAN 68 - Design Statements
- PAN 69 - Planning and Building Standards Advice on Flooding
- PAN 65: Planning and Open Space (Revised 2008)
- PAN 77: Designing Safer Places

- Circular 4/1998 -The Use of Conditions in Planning Permissions
- Creating Places: ‘A policy statement on architecture and place for Scotland’

#### **Glasgow and the Clyde Valley Strategic Development Plan 2012:**

- Spatial Vision
- Spatial Development Strategy

#### **East Dunbartonshire Local Plan 2 2011 Policies:**

- UC 1 - Schedule C – Lower Kilmardinny/Westpark
- HMU 1 - Development Opportunities for Housing and Mixed Uses–(08) Kilmardinny/Westpark
- OS 2 - Provision of Open Space in New Developments
- DQ 1 - Assessing Proposed Uses
- DQ 2 - Design Quality
- DQ 2A - New Site Developments and Redevelopments
- DQ 10 - Sustainable Drainage Systems
- NE 1 - Protection of Local Biodiversity
- NE 2 - Protection of Greenspaces
- TRANS 1 - Development and Transport
- TRANS 2 - Road Design Guidance and Parking Standards
- TRANS 3 - Developer Requirements
- TRANS 5 – Active Travel Network (Core Path)

#### **East Dunbartonshire Local Plan 2 2011 Guidance Notes:**

- Affordable Housing
- Green Network
- Residential Layout and Design and Parking Standards
- Sustainable Construction and Design
- Transport Assessments and Travel Plans
- Tree Protection
- Urban Design

#### **4. REPRESENTATIONS**

Number of Neighbours Notified:	24
Total Number of Contributors:	6
Number of Letters of Objections:	6
Number of Letters of Support:	0
Number of Letters of Representation (Neutral):	0

Six (6) letters of representation have been received from the following:

1. Bearsden North Community Council and Kilmardinny Westpark Action Group C/O- Mr Gordon Cox - 24 North Grange Road, Bearsden, East Dunbartonshire, G61 3AF
2. Ian Macgregor - 263 Milngavie Road, Bearsden, East Dunbartonshire, G61 3DQ
3. Deane And Ursula Monachan - 269 Milngavie Road, Bearsden, East Dunbartonshire, G61 3DQ
4. Dr. H. MacAnespie – 3 South Glassford Street, Milngavie, G62 6AT
5. Milngavie Community Council
6. Lonwen Edwards - 154, Mugdock Road, Milngavie, G62 8NE

The matters raised in the representations are summarised below:

1. Vehicle access to the site. There is no information in the application relating to the control of vehicles entering or leaving the site. The roundabout, which was part of the original proposals, is not shown. It will be impossible to turn right onto Milngavie Road at peak times and there are no proposals for any kind of traffic controls.

2. We have concerns over the wildlife corridor and retention of the 'Green Wedge'. We are not convinced the proposals allow a sufficient width of corridor as originally envisaged.
3. Visual Amenity. The positioning of high flats adjacent to Milngavie Rd is not in sympathy with the existing built environment across the road which is of two storey height. These high flats will obstruct the open aspect and views to the east of the road contrary to the Environmental Statements which formed part of the outline permission granted by the Reporter.
4. Affordable Housing. There is no provision in this application for affordable housing on this part of the Kilmardinny site. Given the uncertainty over future phases, not least over land ownership issues, it is not acceptable to leave provision for affordable housing to later phases of development.
5. The flats on the plans only have Cala's standard sized bin sheds and these would not be adequate for the 5 refuse and recycling bins now required for each household. Therefore an increase in size of the bin storage area is required.
6. The detached properties that would access from the sports centre road would require provision to keep the turning point at the top of the road clear for bin lorries etc as the access road to the sports centre would require double yellow lines.
7. There should be more parking provision for the flatted properties.
8. The current application is inconsistent with the Planning Permission in Principle.
9. Architecture and Design Scotland have not been consulted.

## **5. DISCUSSION WITH APPLICANT**

The Case Officer has had regular pre-application discussions with the applicant regarding the proposed development. The discussions were largely focussed on the following matters:

- i. The need for a design led approach in accordance with the principles of Designing Streets.
- ii. The local plan's expectations for high quality design.
- iii. The context of the Kilmardinny Masterplan
- iv. Visual impact of the height of the buildings, particularly the flatted development.
- v. Connections to the wider area and promotion of active travel.

## **6. CONSULTATION**

### **EDC Roads & Neighbourhood Services (Traffic)**

- No objection

### **EDC Roads & Neighbourhood Services (Strategy) Greenspace**

#### **Comments on Trees and Landscape Proposals**

- No objection subject to a Tree Protection Plan and an Arboricultural Method Statement. Additionally a pre-start meeting is recommended prior to the commencement of any operations on site.

### **EDC Roads & Neighbourhood Services (Waste Management)**

None received (however Roads (Traffic) have advised that the site layout provides sufficient manoeuvrability for refuse vehicles).

### **EDC Environmental & Community Protection**

No objection subject to the following conditions

- During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed with the Council, shall be carried out only between the hours of 8.00a.m. and 7.00p.m. Monday to Friday inclusive; 8.00 a.m. and 1.00 p.m. on a Saturday and at no time on a Sunday, or on a Bank Holiday.
- The proposed site is within close proximity to commercial premises, cognisance requires to be taken of the potential for noise from said undertakings to affect the completed development. Currently, adjacent

commercial premises operate from 7am until 9pm, including weekends, with work activities including receiving deliveries and loading of vehicles. There are also commercial premises on the opposite side of the main road.

- The impact of noise from the adjacent railway and industrial/commercial premises on the proposed housing development requires to be assessed. In addition, the general principles outlined in PAN 56, Planning and Noise, require to be taken into account in co-locating residential, commercial and leisure premises on the proposed site.
- Recommend that the site boundary fencing is 2 metres in height and constructed of close boarded timber.

## 7. ASSESSMENT

### **Kilmardinny Masterplan Approval**

The original Planning Permission in Principle (reference TP/ED/04/1279) was granted at appeal on 21<sup>st</sup> June 2010 with a subsequent section 42 application (reference TP/ED/12/0530) (PPiP) being granted to vary conditions 1, 2, 18 and 19 in December 2012.

The approved Kilmardinny Masterplan provides the basis on how development should be brought forward on the wider site and it identifies the location of various uses. A more detailed masterplan has been submitted for approval by the developer in accordance with Condition 2 (b) of the PPiP.

The PPiP has many conditions attached that are required to be approved before any works commence on the site. This process is currently underway with some of the information being submitted already. The approval of the conditions is running in parallel to the assessment of this application.

It is noted that in accordance with the PPiP, no development shall commence on site until relevant conditions have been approved. Therefore, should this application be granted, the commencement of any works is dependent on the timing of the approval of the conditions of the PPiP which includes the conclusion of legal agreements for the financial contributions relating to the Allander Leisure Centre, the A81 Route Corridor and the delivery of Affordable Housing. Therefore, there is a risk to the applicant that should the approval of the conditions require changes to the layout of this phase, then any approval given in the interim may potentially need to be amended.

In relation to the PPiP, to date the developer has submitted the following information for approval that has implications on any development on the site:

- Condition 2(a) – Tree Survey
- Condition 2(b) – Detailed Masterplan (updated)
- Condition 2(c) – Design Statement
- Condition 2(d) – Contamination scheme
- Condition 2(e) – Detailed specification for road and junction layouts
- Condition 2(f) – Green Travel Plan
- Condition 2(g) – A revised FRA and DIA
- Condition 2(h) – Drainage Scheme
- Condition 2(i) – Confirmation of the existing drainage system on the site
- Condition 2(j) – A Habitat Management Plan
- Condition 2(k) – A Construction Method Statement
- Condition 2(l) – A Community Liaison Scheme

### **Site Appraisal**

The site sits within the Kilmardinny Masterplan area and is commonly referred to as the Bus Garage site. The site lies between the existing Allander Leisure Centre and the A81 (Milngavie Road/Main Street). The northern boundary of the site is bounded by a linear open space between the site and Craighdu Burn which provides pedestrian access from Main Street to the Allander Leisure Centre. The south boundary of the site is shaped by the existing road. The site has a total area of approximately 3.7 hectares.

The site is currently vacant of any buildings and given the former use the site is largely flat with a large area of hard standing still in place. The boundaries are clearly defined by rows of mature trees, which largely provides a screen from adjoining land. The road boundary is largely open apart from a cluster of mature trees and vegetation around the existing pedestrian access.

The surrounding area has a mixture of uses with predominantly residential uses to the west and business uses to the north and leisure use to the west. Beyond the northern boundary and to the north of the Craighdu Burn contains a timber sales yard and to the east lies the Allander Leisure Centre. Across the A81 facing the site, there is commercial uses (hotel and fast food restaurant) towards the north with the remaining properties predominantly residential. Mosshead Road is located approximately 60 metres to the north of the existing road into wider site.

## **The Proposal**

This application is for the construction of 135 residential dwellings comprising of 27 detached, 19 terraced/semi-detached and 89 flatted units including all associated landscaping, roads and drainage infrastructure.

The development comprises of three distinct areas which largely identify the building mix being the flats towards the front of the site, terraces and semi-detached dwellings behind with large detached dwellings towards the western boundary.

The flatted developments are contained in four separate buildings and will comprise of 89 units. Three of these are four storey buildings that face the road (A81) with a fourth building which is three-storeys sitting behind the front line of buildings.

Sitting behind the flats are terraced/semi-detached dwellings containing 19 units with 27 detached units making approximately half the site area. The detached units consist of 11 different house types.

The road layout is predominantly made up of a loop road around the detached houses with a linear road layout around the flatted development. There are three vehicle access points proposed with one from the A81 and two from the existing road on the southern boundary.

Parking for the flats is provided in three areas with smaller areas around the terraced units. There are three stand-alone cycle stores proposed with another being a cycle/bin store. There is a significant amount of landscaping proposed particularly along the road boundary.

## **Assessment of Proposal**

Condition 3 of the Planning Permission in Principle TP/ED/12/0530 requires that:

*Each application for the approval of matters specified in condition 2(a) shall be accompanied by:*

- (i) a site layout plan at a scale of at least 1:1250 showing the position of all buildings, roads, footpaths, open space and play areas (which shall accord with the approach in Guidance Note 10 of the East Dunbartonshire Local Plan); parking areas (distinguishing, where appropriate, between private and public spaces), walls and fences and other landscaping;*
- (ii) plans and elevations of all buildings including (where applicable) the sports facilities building, office buildings, flats, houses and garages, showing dimensions and type and the nature and colour of external materials;*
- (iii) landscaping proposals covering the matters listed at condition 2(a);*
- (iv) phasing; and*
- (v) details of existing and finished ground levels, and finished floor levels, in relation to a fixed datum, preferably ordnance datum.*

*Where the application relates to a phase of the development, these details shall relate to the phase that is the subject of the application. The development shall be carried out thereafter in accordance with the details approved in terms of this condition.*

Section 25 of the Town and Country Planning (Scotland) Act 1997 states that all planning determinations should be made in accordance with the Statutory Development Plan, unless material considerations indicate otherwise. In this instance, the statutory development plan consists of the Glasgow and the Clyde Valley Strategic Development Plan 2012 and the East Dunbartonshire Local Plan 2, October 2011. Scottish Planning Policy (SPP) and Scottish Government policy and advice relevant to the application site and relevant planning issues raised by those who have commented on this proposal, are also material considerations for this application.

As above the principle of the development has been established as part of the approval of the PPIP, the consideration of this application is largely focused of the design detail and its context within the Kilmardinny Masterplan and wider area. Taking this into account, the key considerations in the assessment of this application are:

- Layout and Connections to Wider Networks
- Context, Character and House Design
- Street Design and Detail

### **Layout and Connections to Wider Networks**

Designing Streets requires developers to maximise opportunities for walking and cycling in and around new developments to provide a more sustainable and healthier alternative to the private car. Policy TRANS 1 of the adopted Local Plan 2 also states that all new development should demonstrate accessibility by walking, cycling and public transport. Pedestrian movement should be considered first and private motor vehicle last and that street design should be inclusive, providing for all people regardless of age or ability.

Designing Streets requires the urban form of new developments to be easy to move around and to be distinctive with landmarks and vistas to provide good orientation and navigation of an area. The key features of the street layout proposed in are that the majority of the detached houses will be situated on a loop road largely avoiding the need for cul-de-sacs. As such it is considered that the proposed layout will result in a development which is as permeable as possible. It is also considered that the general structure of the layout strikes a good balance between making use of the existing vistas particular the strong tree lines surrounding the site and the reduction of forward visibility in aid of reducing vehicle speeds. The proposed development contains several pedestrian links within the site and also externally.

Designing Streets states that ‘designers should aim to create streets that control vehicle speeds naturally by street layout and design rather than through unsympathetic traffic-calming measures added at the end of the design process.’ Delineation, reduced roads widths, trees, and the positioning of buildings closer to the street at certain locations, have all been used to ‘naturally’ reduce vehicle speeds within the development to a limit of approximately 20mph.

Scottish Planning Policy (SPP) states that permission should not be granted for significant developments where access to public transport networks would involve walking more than 400m. Policy TRANS 1A of the adopted East Dunbartonshire Local Plan also states that all new development proposals should demonstrate accessibility by public transport. The site has access to public transport networks mainly being bus route on the A81 immediately adjacent to the site. Further consideration to the potential rail halt included in the Kilmardinny Masterplan by the Allander Leisure Centre.

### **Context, Character and House Design**

Local Plan 2 Policy DQ 2 states that ‘the Council will expect high quality design in all development and all development should be compatible with the amenity and character of the area within which it is located’. Additionally Designing Streets states that ‘street design should respond to local context to deliver places that are distinctive.’

As stated above, discussions have taken place between the applicant and officers specifically in relation to the layout and design of the development including the context and character of the development.

It is considered that the above key principles demonstrate that the development has taken a site responsive and design led approach in accordance with Designing Streets and local plan policy. It is considered that the housing mix, building styles, heights and materials are not significantly incompatible with the character of the surrounding

area. As such the development is considered to largely satisfy local plan policy DQ 2 and Designing Streets in this regard.

In accordance with the PPIp, the building heights on each development area are restricted to the heights that have been approved in C2. Figure C2: Building Heights was approved at the time of the original PPIp and amended accordingly with the approval of the s42 where the land areas were amended. It is noted that in accordance with C2 the approved height for this development phase is 15.2 metres or three storey flats. In this instance, four storeys are proposed, however within the height limit of 15.2 metres.

At the determination of the appeal, the area where the current development is located was approved as leisure use with heights up to 5 or 6 storeys or 15.2 metres in height. While the development areas were rearranged with the approval of the s42, the building heights associated to the residential development remained unchanged. Therefore, it is reasonable to expect any development that comes forward in this location will be up to 15.2 metres in height.

Therefore, with respect to the current proposal, it is considered that the proposed height of the flatted development is in accordance with the approved height.

Nonetheless, the visual impact of the development must be considered against the surrounding area, particularly the street environment and the properties opposite the site.

The appearance of a residential environment will be maintained albeit at a different scale and intensity to the existing residential properties opposite the site. At the point of the site, there is a small cluster of business uses to the north in which the site will provide a transition to delineate the predominantly residential areas from the south. The materials will be a mix of cladding and sand-stone and is typical of the type of residential use proposed. It is noted that the site is not located within or in close proximity to a Conservation Area. While the residential properties opposite the site conform to a different development pattern and intensity, the site (including the whole Kilmardinny Masterplan) essentially sits separate to these areas and will create a new urban form and development pattern as envisaged by the approved Masterplan.

The street frontage of the site will be dominated by the flatted development. There is landscaping proposed that will continue the strong landscaping presence on the southern boundary. This will help soften the appearance of the buildings to a certain degree.

Notwithstanding this, there is no access to the building from the front of the flatted development to the A81. This would detract from the primary street frontage in terms of providing a strong and active frontage onto the street. However on balance, the absence of access from the street would not warrant refusing the application. This is based on that the building design which has the appearance of an active front also with low-level windows. In terms of accessibility, given the short blocks, the main access to the back of the building would not be significantly longer distance to access when arriving from the street.

On balance, the development is acceptable taking into account the approved Kilmardinny Masterplan in the context of amenity and character of the surrounding area.

## **Street Detail**

### ***Drainage***

Local Plan Policy DQ 12: 'Sustainable Drainage Systems' states that development shall incorporate sustainable urban drainage systems. Roads and Neighbourhood Services have agreed that the proposed Sustainable Urban Drainage System is acceptable in principle subject to minor changes and technical detail. The drainage capacity and design is assessed against the PPIp.

### ***Utilities***

Designing Streets states that utilities should not determine the layout of streets or footways. Through consultation with the Roads Service the provision of utilities has been carefully considered to ensure that:

1. the position of utilities have not dictated the site layout,
2. adequate servicing strips are provided; and
3. if servicing works are required on the road within the site, the loop in the layout will ensure that restrictions on residents accessing their property are minimised.

### ***Landscaping and Green Network***

Designing Streets states that landscape features should be integrated into street design to foster positive environmental biodiversity and to improve visual amenity. In addition the northern boundary is adjacent to the Craighdu Wedge that also forms part of the Green Network. Therefore there should be an expectation that any development integrates into the Green Network and strengthens this relationship.

The proposed layout incorporates a significant amount of new tree and shrub planting throughout the development to soften the proposed development and create visual interest. The retention of the majority of the existing trees along the existing road on the southern boundary should also assist in minimising the impact of the height of the flatted buildings.

This includes the planting of trees within the shared space streets to reduce forward visibility and strengthen the visual quality of the area. The proposed planting also includes replacement trees along the front of the site and low-level planting to soften the appearance of the flatted buildings. In addition, the landscaping along northern edge of the site should be reinforced as it lies within the Craighdu Wedge. Therefore appropriate landscaping should be implemented within this area to strengthen the boundary and the Green Network.

The applicant has submitted a draft landscaping plan, however should this application be approved, it is recommended that a condition is attached to ensure that an updated landscaping plan and maintenance schedule are submitted and fully implemented thereafter.

### ***Materials***

Designing Streets stipulates that materials should be distinctive, easily maintained, provide durability and be of a standard and quality to appeal visually within the specific context. Designing Streets states that 'shared space streets are often constructed from pavements or other materials rather than asphalt, to help emphasise their difference from conventional streets' and reduce traffic speeds. Although the proposed materials are acceptable in principle, it is recommended that a condition is attached requiring samples of the proposed materials to be approved to ensure that they are of a suitable standard of quality.

### ***Integrated Parking***

Local Plan 2 Policy TRANS 2 states that development proposals must ensure that road layout and design ensures the safety of all users and the efficient use of the network by all modes. Designing Streets requires that parking should be delivered by a variety of means to lessen visual impact. The submitted plans show that the required number of parking spaces for the site will be achieved through a mixture of parking to the front, side and rear of dwellings, and in attached garages. The three distinct parking areas for the flatted development can be designed to avoid the visual appearance that is predominantly parking. Each parking area has the opportunity to create a 'square' feature within the site and with the addition of appropriate planting, surface treatment and landscaping along the road boundary. Therefore it is considered that any visual impact of the parking areas can be adequately mitigated.

This approach will help to reduce the visual impact of car parking on the new residential streets as required by Designing Streets.

EDC Roads and Neighbourhood Services (Traffic) have advised that the proposal complies with the Councils parking standards as set out within Guidance Note 18: 'Road Layout and Design and Parking Standards' and that there are no general safety concerns with the proposed layout and access.

### **Other Local Plan 2 Requirements**

#### ***Affordable Housing***

Policy HMU 1 states that in order to address the demonstrated need for affordable housing the Council will seek a benchmark figure of 25% of the total number of units on site as affordable housing for all developments of 10 units or more. Affordable housing is a requirement of the PPIp and there is a requirement to provide 10%. This is not included within this phase of the development. It is noted that there is an area that is provided within the Kilmardinny Masterplan. However, the applicant has advised that the affordable housing can be provided on site should this be required as a result of changes to the wider Masterplan.

#### ***Privacy***

Local Plan Guidance Note 7 states that the Council will seek to ensure that good standards of privacy are established and maintained in and around residential development, and also sets out minimum window to window distances (which for windows facing directly is 18m). Given the surrounding area, and the location of residential properties, it is considered that the privacy of these properties will not be significantly affected by the development.

### ***Private Amenity Space***

Local Plan 2 states that all new dwellings are expected to meet Local Plan 2 requirements for the provision of private amenity space. Guidance Note 16: 'Residential Layout and Redevelopment' states that the minimum standard that should be met for each house is 40 square metres of private garden per bedroom (or potential bedroom). The majority of the plots on site meet the standard stated in Guidance Note 16, however any shortfall in most cases is considered to be minimal.

Designing Streets states that 'good street design should derive from an intelligent response to location rather than the rigid application of standards.' In this instance, an open space strategy is assessed as part of the PPiP in which this phase of development would benefit.

### ***Open Space***

Policy OS 2 states that new housing development should include adequate provision for, or appropriate access to, high quality open space. While there is an open space strategy for the whole Kilmardinny Masterplan, there are small areas of informal open space within this phase. There is open space immediately outside the northern and eastern boundaries along the landscaping around the perimeter of the development. The layout of the northern boundary integrates into the open space well. With respect to the Craigdhu Wedge, it is considered that there is sufficient separation between the proposed buildings and the Craigdhu Burn to provide a sufficient landscaped strip. This is based on providing a suitable location of these buildings based on overlooking and integrating into this space.

### ***Tree Protection***

Policy NE 6 of the adopted local plan states that 'significant trees and woodlands will be protected from inappropriate development.' The proposal requires the removal of some of the trees around the southern boundary and the area of mature trees on the A81 frontage. The EDC Arboricultural Officer has reviewed the proposals also in conjunction with the wider tree strategy for the Kilmardinny Masterplan and has no objections to the application.

A total of 73 trees were surveyed with many of these being classed as trees of high to moderate quality. The predominant tree species are Black Poplar, Ash, Common Whitebeam, Rowan, Lime and Silver Birch. 23 trees are to be felled to accommodate development proposals, however the majority of specimen trees which are a main landscape feature and bound the development on the east side of the site are being retained.

The majority of the trees which are to be removed as part of the proposals are considered to be of low amenity value. Given that the scheme has been designed to retain the most significant trees on the site and within the southern boundary, and as replacement planting is proposed along with a significant amount of new planting within the site, the proposed tree removal is considered to be acceptable in this instance.

To compensate for the loss of trees on this site, a landscape design is to be submitted which will incorporate extensive tree and shrub replacements.

Nonetheless, it is recommended by Arboricultural Officer that a Tree Protection Plan and an Arboricultural Method Statement detailing specific site activities which relates to the following:

1. Construction Exclusion Zone Fencing
2. Site logistics and Material Storage
3. Road Construction - No dig
4. Drainage and Utility Routes
5. Duties of an Appointed Arboricultural Consultant
6. Advance Arboricultural Works

Furthermore it is recommended that a pre-start meeting is arranged with all interested parties to discuss and implement the above prior to the commencement of any operations on site.

As such it is recommended that should this application be granted, conditions be imposed to ensure that the necessary measures are in place to ensure the strong presence of trees

Taking all this into account, the significant trees will be retained and therefore it is considered that the strong presence of trees is preserved particularly around the perimeter of the site. In addition with new planting, any potential adverse visual impact of the development is lessened.

### ***Biodiversity***

Policy NE 1 states that ‘the existing biodiversity of the district will be protected from development likely to have an adverse impact’ and ‘that developers will be encouraged to take positive steps to enhance biodiversity’. The assessment of the impact has been assessed through the conditions of the PPiP.

### ***Noise***

Local plan policy states that ‘all development should be compatible with the amenity and character of the area’ and should not ‘result in a significant impact from noise or disturbance.’ It is not envisaged that there would be any significant impact from noise on the surrounding area with any completed residential development.

With respect to construction, any adverse noise can be adequately controlled to ensure any noise nuisance is minimised. In addition, Council’s Environmental Health recommends that the hours of construction are managed to ensure construction noise at night and on the weekends is minimal. Construction is temporary in nature, nonetheless should this application be granted then, a condition is recommended to restrict noisy construction to certain times of the day.

Environmental Health also recommends a close boarded fence around the perimeter. In this instance, an open aspect is preferred to a closed fence along the northern boundary and the residential development would integrate into the open space rather than closing this area off. The row of residential buildings will maintain a separation distance of about 27m to the closest end terrace and around 35m from the detached units to the adjacent timber yard to the north. Any noise created by the timber yard makes up the existing noise environment which the level of noise generated by the activity would be expected in any new residential dwellings.

### **Letters of Representation**

The following is offered in response to the letters of representation:

1. **Vehicle access to the site.** The detail of the new junctions on the A81 are being assessed as part of the Planning Permission in Principle.
2. **Wildlife corridor.** Biodiversity is also part of the PPiP taking into account the wider Kilmardinny Masterplan.
3. **Visual Amenity.** Assessed in the above report.
4. **Affordable Housing.** Addressed in the above report, it is noted that an area is allocated as part of the Kilmardinny Masterplan and to be delivered through a legal agreement.
5. **Waste Facilities.** A condition is recommended for a Waste Management Plan.
6. **Onsite layout.** Noted, however double yellow lines (parking restriction) will not be required for bin lorries and there is adequate provision on site to accommodate the parking for the houses.
7. **Parking.** The parking provided is sufficient for the purposes of this development
8. **The current application is inconsistent with the Planning Permission in Principle.** Assessed in the above report.
9. **Architecture and Design Scotland have not been consulted.** AD+S have been consulted on the Design Statement submitted as part of the PPiP

## **8. CONCLUSION**

In conclusion the application for a residential development containing 135 units is considered largely to comply with national policy and the provisions of the adopted East Dunbartonshire Local Plan 2. The ability of the applicant to deliver the proposed development is dependent on the delivery of application TP/ED/12/0530 and the associated conditions. Therefore it is recommended that the application is granted as set out in section 9.

## 9. RECOMMENDATION

Approve subject to (a) the approval by the Planning Authority of the details required by conditions 2(b)-(l) of Planning Permission Reference TP/ED/12/0530; (b) the entering into of an appropriate legal agreement to secure the planning obligations contained in conditions 18,19 and 20 of Planning Permission Reference TP/ED/12/0530; and (c) the following conditions:

### CONDITIONS

1. The development hereby approved shall be implemented in accordance with the plans and documents forming part of this permission unless a variation is required by a condition or a non-material change has been agreed by the planning authority.

### PRIOR TO WORK COMMENCING ON SITE

2. That prior to work commencing on site, samples of all proposed facing and surfacing materials shall be submitted to and approved by the Planning Authority. Works shall be carried out in accordance with the details finally approved, unless otherwise agreed by the Planning Authority.
3. That prior to the commencement of works on site, a detailed Construction Methodology Statement (CMS) shall be submitted to and approved by the Planning Authority. For the avoidance of doubt the CMS will include details on, but not restricted to:
  - a. Haulage routes to and from the site and procedures for the safe movement of construction vehicles,
  - b. Location of site compound,
  - c. Adequate on-site parking provision for site workers,
  - d. Measures for keeping the surrounding roads network free from dirt and debris,
  - e. Dust suppression measures; and
  - f. Operation/ location of security lights.

All appropriate measures detailed in the approved CMS must be implemented prior to the commencement of any development on site and for the duration of the works, unless otherwise agreed in writing with the Planning Authority.

4. That prior to the commencement of works on site, updated landscaping plans/information shall be submitted to and approved by the Planning Authority. Any plans/information shall include details of landscaping along the northern boundary in the aim of reinforcing the Craighdu Wedge.
  - All trees, shrubs and hedge plants supplied shall comply with the requirements of the British Standard 3936, Specification for Nursery Stock. All pre-planting site preparation planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428(1989) Code of Practice for General Landscape Operations.
  - All new tree plantings shall be positioned in accordance with the requirements of Table 3 of British Standards BS5937:2005 Trees in Relation to Construction: Recommendations.

Thereafter, all landscaping works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Planning Authority.

Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of a similar size and species to those originally required to be planted.

5. That prior to the commencement of works on site, an Arboricultural Method Statement shall be submitted to and approved by the Planning Authority. The statement will include details on the following:
  - a. Construction Exclusion Zone Fencing
  - b. Site logistics and Material Storage

- c. Road Construction - No dig
- d. Drainage and Utility Routes
- e. Duties of an Appointed Arboricultural Consultant
- f. Advance Arboricultural Works; and
- g. a Tree Protection Plan detailing tree protection fencing alignment and areas of supervised construction.

The appropriate measures in the method statement, as finally approved, will be implemented prior to the commencement of works and will remain in place until completion, unless otherwise agreed in writing with the Planning Authority.

#### DURING CONSTRUCTION

- 6. During the period of construction, all works and ancillary operations which are audible at the site boundary, or at such other places as may be agreed with the Council, shall be carried out only between the hours of 8am and 7pm Monday to Friday inclusive; 8am and 1pm on a Saturday and at no time on a Sunday or on a bank holiday, except by prior approval in writing from the Planning Authority. For the avoidance of doubt Bank Holidays are declared by Royal Proclamation & can be found on the Scottish Government's website.

#### PRIOR TO OCCUPATION

- 7. That prior to the occupation of any residential unit on site, a Site Waste Management Plan shall be submitted to and approved by the Planning Authority. For the avoidance of doubt the management plan shall include details on any material which is to be removed from the site. All appropriate measures detailed in the approved Management Plan must be implemented prior to the commencement of any development on site and for the duration of the works, unless otherwise agreed in writing with the Planning Authority.
- 8. That prior to the occupation of any residential unit on site, a Travel Pack shall be submitted to and approved by the Planning Authority. The Travel Pack should include details on the following matters:
  - a. local opportunities for active travel such as walking and cycling (using maps where appropriate),
  - b. access to public transport such as bus and rail,
  - c. promotion of opportunities for car-sharing; and
  - d. the health benefits of active travel.

The Travel Pack, as finally approved, will be provided to all new residential units at the point of occupation, unless otherwise agreed in writing with the Planning Authority.

#### GENERAL

- 9. That no commercial or industrial activities shall take place within the garages, the use of which shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and shall not be converted to habitable accommodation without the prior permission of the Planning Authority.
- 10. Prior to the occupation of any dwelling, street name plates identifying agreed street names shall be erected at all internal roads junctions in keeping with East Dunbartonshire Council standards for street signs to the satisfaction of East Dunbartonshire Council as Planning and Roads Authorities.

#### REASONS

- 1. To ensure that the development is carried out with the approved plans unless otherwise agreed.

#### PRIOR TO WORK COMMENCING ON SITE

- 2. To ensure that the materials to be used in the development are of a high standard, in the interest of creating a high quality place.

3. To minimise the disruption caused to nearby residents and public/ road safety as a result of the construction works.
4. To ensure that there is suitable landscaping provided within the site and that the Craigdhu Wedge is reinforced.
5. To ensure that the trees that are to be retained are adequately protected.

#### DURING CONSTRUCTION

6. In the interest of protecting local amenity and to limit the disturbance caused to nearby residential properties during the construction of the development.

#### PRIOR TO OCCUPATION

7. To ensure that waste from the construction phase is minimised and, its disposal controlled, in the interest of sustainable development.
8. To encourage the use of sustainable forms of travel in accordance with the adopted local plan.

#### GENERAL

9. In the interests of public safety to ensure the adequate provision of off-street parking spaces; and that the planning authority can retain effective control.
10. In the interests of public safety to ensure safe movement within the site and that the planning authority can retain effective control.

#### **ADVICE NOTES**

1. The developer is reminded that all the relevant pre-commencement conditions of the Planning Permission in Principle (Reference TP/D/12/0530) must be approved before any works commence on site. All the remaining conditions must also be complied with.
2. That the development to which this permission relates must be begun within three years of the date of this permission.
3. That the development hereby consented shall not start until a Notice of Initiation has been submitted to the Planning Authority.
4. On completion of the development, you are also required to submit written notification to this Council by completing and returning a Notice of Completion.
5. This permission does not exempt you from obtaining a Building Warrant under the Building (Scotland) Acts. For further information, please contact Building Standards (0141) 578 8000.
6. This permission does not exempt you from obtaining a Roads Construction Consent under the Roads Scotland Act 1984. For further information please contact East Dunbartonshire Council Roads & Neighbourhood Services.
7. A meeting is required with the Council's Tree Officer prior to commencement of works on site.

**Director of Development and Regeneration**