

**My Ref:** N/A  
**Contact:** Ms C Murray  
**Telephone:** 0141 618 7893  
**Email:** dc@renfrewshire.gov.uk  
**Date:** 14/05/2020



IKG Architects  
21 Church Street  
Kilbarchan  
PA10 2JQ

**Proposal:** Erection of four detached houses (in principle)  
**Location:** 9 Mill Brae, Bridge of Weir, PA11 3LD  
**Application No.** 19/0814/PP  
**Email:**

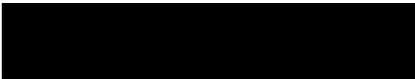
Dear Sir/Madam,

**NOTIFICATION OF REFUSAL OF CONSENT**

The Council has decided to refuse your application, details of which are given above. I enclose a decision notice which provides details of the reasons for refusal. I also enclose a copy of your submitted plans duly endorsed and the Report of Handling.

You have the right to seek a review of this decision by submitting a Notice of Review within three months from the date of the decision notice to the Head of Corporate Governance, Renfrewshire House, Cotton Street, Paisley PA1 1TR. The Notice of Review form and guidance is available on the Council's website or by contacting Legal & Democratic Services.

Yours faithfully,

  
Fraser Carlin  
Head of Planning and Housing



## DECISION NOTICE

Town and Country Planning (Scotland) Act 1997  
Planning etc. (Scotland) Act 2006  
Town and Country Planning (Development Management Procedure) (Scotland) Regulations  
2013

### TO

Todd Development  
23a Church Street  
Kilbarchan  
PA102JQ

With reference to your application registered on 29/11/2019 for Planning Permission in Principle for the following development:-

### PROPOSAL

Erection of four detached houses (in principle)

### LOCATION

9 Mill Brae, Bridge of Weir, PA11 3LD

### DECISION

The Council in exercise of their powers under the above Acts and Orders, having considered the above proposal, the plans endorsed as relating to it and the particulars given in the above application hereby:-

### **REFUSE Planning Permission in Principle for the reasons provided on the paper apart.**

Please note that the full reasons as to whether the above Proposal is in accordance with the Development Plan (as required by section 37(2A) of the Town and Country Planning (Scotland) Act 1997) are found in the Report of Handling for your application which is attached as Appendix 1 and referred to for its terms which are deemed to be repeated, incorporated and forming part of this Decision Notice.

### PLANS AND DRAWINGS

The plans and drawings relative to this refusal are those identified in the Schedule of Plans/Drawings attached as a paper apart and forming part of this Decision Notice.

Dated: 14/05/20

Signed  .....

Appointed Officer

on behalf of Renfrewshire Council

PAPER APART

TERMS AND CONDITIONS

- 1 The development would result in additional traffic manoeuvres onto Mill Brae and its junction with Main Street. The access proposed would be unacceptable and could reduce road safety on both Mill Brae and Main Road. The proposal is therefore contrary to the terms of Policy P1 of both the Adopted Renfrewshire Local Development Plan (2014) and the Proposed Renfrewshire Local Development Plan (2019) and the associated Supplementary Guidance which seek to ensure that proposals are compatible and complementary to existing uses and should cause no significant harm.

### **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning Act (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to Head of Legal and Democratic Services, Renfrewshire House, Cotton Street, Paisley PA1 1PR.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Applicant: Todd Development	Ref. No: 19/0814/PP
Site: 9 Mill Brae, Bridge of Weir, PA11 3LD	Officer: Ms C Murray

## Documents

Document	Document Attached (Admin) ✓	Document Attached and Signed
Decision Letter	✓	✓
Decision Notice	✓	✓
Appendix 1 – Report of Handling	✓	✓

## Plans to be stamped

Drawing Number	Drawing Title	Paper & Anite Set (Officer) ✓	Stamped (Admin) ✓	Stamped on anite (Admin) ✓
	Location Plan	✓		✓
	Site Plan	✓		✓

Officers Initials: CM

Admin Initials: JA

Checked by : 

<b>RENFREWSHIRE COUNCIL</b>	
<small>Town and Country Planning (Scotland)</small>	
<small>Act 1997</small>	
19/0814/PP	
Application No. ....	14/05/2020
<b>REFUSED</b>	
on	
Signed by <u></u>	
<small>On behalf of Renfrewshire Council</small>	

## Appendix 1

RENFREWSHIRE COUNCIL

Application No: 19/0814/PP

COMMUNITIES, HOUSING AND PLANNING SERVICES  
RECOMMENDATION ON PLANNING APPLICATION

Regd: 29/11/2019

Applicant

Agent

Todd Development  
23a Church Street  
Kilbarchan  
PA102JQ

IKG Architects  
21 Church Street  
Kilbarchan  
PA10 2JQ

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Nature of proposals:

Erection of four detached houses (in principle)

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Site:

9 Mill Brae, Bridge of Weir, PA11 3LD

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Application for:

Planning Permission in Principle

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### **Description**

Planning permission in principle is sought for residential development on a vacant and overgrown site, formerly a builders yard, located centrally within Bridge of Weir, accessed from Mill Brae, a steep narrow road which slopes downwards towards the site, from its junction with Main Street, terminating in a dead end.

The indicative layout plan illustrates 4 detached dwellings with driveway access taken from a newly created access road from Mill Brae. As the application is in principle only, no further details have been submitted with respect to the design and finish of the dwellinghouses.

The site would front onto an area of vacant land to the front (west), would be bound by the River Gryffe to the side and rear (north and east) and by Mill Brae to the west. There is a foot bridge adjacent to the south east corner of the site which connects the site through to an established residential area on the opposite side of the river.

Mill Brae terminates in a dead end further to the south east but provides access to various industrial/commercial premises located to the east via an access lane. There are a series of terraced stone built traditional dwellings located on the opposite side of Mill Brae, overlooking the site.

The site contains a mix of self seeded whip trees and shrubs and the eastern portion of the site which effectively comprises the bank of the River Gryffe falls steeply down to the river and is heavily wooded. This area of the site is covered by a Tree Preservation Order (TPO), whereas the remainder of the site has no such designation.

The indicative layout illustrates that all the self seeded shrubs and vegetation would be removed from the site to accommodate development and the trees on the banking covered by the TPO would remain.

## **History**

None

## **Policy & Material Considerations**

### **Development Plan**

Adopted Renfrewshire Local Development Plan August 2014  
Policy P1 – Renfrewshire’s Places - Places Development Criteria

New Development Supplementary Guidance 2014  
Delivering the Places Strategy

Proposed Renfrewshire Local Development Plan 2019  
Policy P1 – Renfrewshire’s Places

New Development Supplementary Guidance 2019  
Delivering the Places Strategy - Creating Places

### **Material considerations**

Renfrewshire’s Places Residential Design Guide

Planning legislation requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the proposal requires to be assessed in terms of the policies set out above, and any other material considerations.

## **Publicity**

The Council has undertaken neighbour notification in accordance with the requirements of the legislation. The application was advertised in the Paisley & Renfrewshire Gazette with a deadline for representations of 25th December 2019.

## **Objections/Representations**

No objections or representations have been received.

## **Consultations**

**Environment and Infrastructure Services (Roads)** – Object on the basis of unacceptable access to the site insofar as the junction of Mill Brae with Main Road cannot accommodate additional traffic. Therefore Mill Brae as an access to the site is unacceptable.

Response: Noted. Suggestions have been made to the applicant regarding investigating the potential to re-open the adjacent road known as 'Back Road', which could access the site. This has been investigated and is unsuitable due to an unstable bridge structure and the cost of repair together with land ownership issues. This option is therefore untenable.

**Environment and Infrastructure Services (Design Services)** – No objections.

Response: Noted.

**Environmental Protection Section (Environmental Health)** – No objection subject to condition requiring the submission of a Site Investigation and Remediation Strategy to address potential contamination on the site.

Response: Noted. This could be addressed with the imposition of an appropriate planning condition.

**Bridge of Weir Community Council** - The Community Council consider the site to be undevelopable for the following reasons; Lack of proper footpath on Mill Brae; The width of Mill Brae is too narrow to accommodate any additional housing; The riverbank would need strengthened ;The bridge on Back Road would need strengthened.

Response: Concerns in relation to Mill Brae and access to the application site are reflected in the points of concern raised by Environment and Infrastructure Services (Roads) who have objected to the application due to unsuitability of Mill Brae and its junction onto Main Street. No issues have been raised by consultees in relation to stability of the site, however, site investigations and remediation reports would be a condition of any consent, were this application to be granted

**Scottish Water** - No objection.

Response: Noted.

#### **Summary of Main issues of:-**

Environmental Statement - Not applicable.

Appropriate Assessment - Not applicable.

Design Statement – Not applicable

Response: It is considered that the indicative layout demonstrates that 4 dwellinghouses could be accommodated within the site with adequate amenity space such that it would reflect the pattern and density of the surrounding residential area.

Traffic Assessment - The traffic statement concludes that the predicted impact of development traffic generation on the road network would be low and would not have any significant impact on the road network and therefore no detailed junction modelling was undertaken.

Response: Noted

Accessibility Statement – Not applicable.

Planning Obligation Summary - Not applicable.

Scottish Ministers Direction - Not applicable.

#### **Assessment**

#### **Adopted Renfrewshire Local Development Plan 2014**

The application site is covered by Policy P1 within the Adopted Renfrewshire Local Development Plan. Policy P1 states that within uncoloured areas on the proposals maps there will be a general presumption in favour of a continuance of the built form. New development within these areas should be compatible and complementary to existing uses and demonstrate that they would cause no significant harm to these uses.

The application site is located within a predominantly residential area. Further residential development would therefore be compatible with surrounding uses. It is therefore considered that residential development would be acceptable in principle.

The main consideration thereafter is the nature of the residential development. The applicant has submitted an indicative layout plan which seeks to demonstrate that the application site can accommodate four detached dwellinghouses with a frontage onto a newly created access road which could accommodate visitor parking and a turning head.

The indicative layout demonstrates that the dwellings could be positioned such that the rear garden areas could have a depth of approx. 13/15m with a separation distance of at least 4 metres between dwellings and up to 17 metres from the nearest existing dwelling on Mill Brae, located to the south west. The indicative layout illustrates the dwellings facing to the west whereas the dwellings on Mill Brae face to the north. There could, therefore, be sufficient separation distance between proposed and existing dwellings, within the indicative layout submitted.

The New Development Supplementary Guidance 2014 states that development proposals shall require to ensure that: -

- The layout, built form, design and materials of new developments shall be of a high quality and be in accordance with the general principles of the Architecture and Place Policy and Designing Streets. The density of new housing proposals will require to be in keeping with the density of the surrounding residential areas.

As discussed above, the application is in principle and the siting, design and materials would be considered as part the Matters Specified in Conditions application. Notwithstanding this, it is considered that the indicative layout satisfactorily demonstrates that four dwellinghouses could be easily accommodated within the site with adequate curtilage and amenity space without detriment to the amenity of the surrounding area.

It is also considered that the indicative layout would be in-keeping with the density and form of the surrounding residential area which is mixed in terms of age, form and design.

- Surrounding land uses should not have a significant adverse effect on the proposed residential development with regards to visual amenity, noise, smell, traffic, overlooking and meeting statutory air quality objectives.

The surrounding land use is predominantly residential and it is not considered that the proposed residential development would be adversely affected by any existing land use.

- Development proposals require to create attractive and well-connected street networks which will facilitate movement.

The indicative layout demonstrates that the development would have a new street frontage. It is considered that the proposal would provide an active street frontage on an otherwise vacant site. Details of the design and finish of the proposed dwellings would be considered in Matters Specified in Conditions.

- Development should contribute to the overall character of a place, public health, social interaction and help in tackling climate change through reduction in carbon emissions.

The proposal is in principle and full details of the design and materials would be considered in the detailed submission for approval of Matters Specified in Conditions.

In view of the above, it is considered that the proposal demonstrates that there is capacity within the site for four dwellinghouses. Each plot could accommodate a dwellinghouse with adequate amenity space including off-street parking.

While the submitted plan outlines one possible arrangement of dwellinghouses, it is not considered necessary to restrict the permission to the form of development shown on this plan. This will provide flexibility to the arrangement of dwellinghouses with respect to future Approval of Matters Specified in Conditions applications.

There are no surrounding land uses which will have a significant adverse effect on the proposed residential development.

Notwithstanding the appropriateness of the site for residential development, in principle, Environment and Infrastructure Services (Roads) have objected to the proposal on the basis that it cannot be adequately served by existing roads infrastructure and specifically the junction from Mill Brae onto Main Street.

There is concern that this junction struggles to service the dwellings and businesses already taking access from it. Any increase in traffic would be unacceptable.

Given that there is no viable alternative route to access the site, nor any physical possibility that the existing junction could be improved, the development proposed cannot be adequately or safely accessed and is unacceptable in this regard.

It is anticipated that connections to the existing utility network can be made given the location of the site within a built-up area.

With respect to surface water and drainage, Environment and Infrastructure Service (Flooding) were consulted and advise that a condition should be attached with respect to a Drainage Impact Assessment for any subsequent application for Matters Specified in Conditions.

### **Proposed Renfrewshire Local Development Plan 2019**

The policies within the Proposed Renfrewshire Local Development Plan reflect those of the currently adopted plan, and there are no new policies or guidance to consider.

The proposal is therefore also found to be compliant with the majority of the policies and guidance of the proposed plan.

However, the application site cannot be acceptably accessed and therefore the proposal is unacceptable.

### **Recommendation and reasons for decision**

Having considered the above assessment, it is found that although the proposal complies with the majority of the policies and guidance of the Renfrewshire Local Development Plan, it cannot be adequately or safely accessed and is contrary to the LDP in this regard. It is therefore recommended that the application is refused.

### **Index of Photographs**

A site visit has been undertaken and photographs relevant to the application have been archived.

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### RECOMMENDATION

Refuse

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Other Action

### Conditions and Reasons

- 1 The development would result in additional traffic manoeuvres onto Mill Brae and its junction with Main Street. The access proposed would be unacceptable and could reduce road safety on both Mill Brae and Main Road. The proposal is therefore contrary to the terms of Policy P1 of both the Adopted Renfrewshire Local Development Plan (2014) and the Proposed Renfrewshire Local Development Plan (2019) and the associated Supplementary Guidance which seek to ensure that proposals are compatible and complementary to existing uses and should cause no significant harm.

Fraser Carlin  
Head of Planning and Housing

Local Government (Access to Information) Act 1985 - Background Papers

For further information or to inspect any letters of objection and other background papers, please contact Sharon Marklow on 0141 618 7835.

