

Planning Statement

**Land North of Johnston Road &
East of Lochend Road, Gartcosh**

**Applications for Approval of
Matters Specified in Conditions and
Section 42 Application for Variation
of Conditions 3(d), 3(f) and 16
Attached to Planning Permission
13/01958/PPP for Residential
Development**

**Applicants: Bellway Homes Ltd &
Deuchny Properties LLP**

SEPTEMBER 2021



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1 INTRODUCTION

- 1.1 This Planning Statement has been prepared by Ryden Planning to accompany two applications for approval of matters specified in conditions (MSCs) and a related Section 42 application concerning housing development in Gartcosh. The applications have been submitted to North Lanarkshire Council (NLC) on behalf of joint applicants Bellway Homes Ltd and Deuchny Properties LLP.
- 1.2 The land to which the proposals relate lies within the Gartcosh Glenboig Community Growth Area (CGA). Planning Permission in Principle (PPP) was granted for housing on the land in August 2016 subject to a condition restricting the developable area. A first phase of housing has since been approved and completed. The current MSC applications relate to proposed Phases 2 and 3.
- 1.3 The Phase 3 proposals involve land that is directly affected by the PPP condition concerning developable areas. In addition, the Phase 2 access proposals differ from those anticipated at the time of the PPP. As a result, the Section 42 application is necessary in order to vary the terms of the relevant conditions in parallel with approval of the Phase 2 and 3 proposals.
- 1.4 The purpose of this Planning Statement is to give an overview of the proposed Phase 2 and 3 developments within the context of the PPP and relevant planning policy. While contained within two separate MSC applications, the proposals for Phase 2 and Phase 3 are inextricably linked and thus require to be considered together.
- 1.5 This Planning Statement should be read in conjunction with the other documents that accompany the application, as follows:
 - Application Drawings prepared by Bellway Homes and Indev Consult;
 - A Site Investigation Report (and Coal Mining Risk Assessment) prepared by David R Murray and Associates;
 - An Air Quality Assessment prepared by Envirocentre;
 - A Noise Assessment prepared by Envirocentre;
 - A Landscape and Visual Impact Assessment prepared by DWA;
 - Landscaping Proposals prepared by DWA;
 - A Preliminary Ecological Appraisal and related surveys prepared by Envirocentre;
 - A Tree Survey prepared by Donald Rodger Associates; and
 - An Access Junction Appraisal prepared by Tetra Tech.

2. PPP CONTEXT AND SITE DETAILS

PLANNING HISTORY

2.1 In August 2016, planning permission in principle was granted for residential development of up to 450 units on various sites at Johnston Road, Gartcosh (ref: 13/01958/PPP). The sites all lay within the identified Gartcosh Glenboig Community Growth Area (CGA). The indicative masterplan drawing below formed part of the planning approval.



2.2 A number of conditions were attached to the planning permission in principle (PPP) including the following:

Condition 2 for the avoidance of doubt, masterplan drawing no. 2432_PL003 REV C is indicative only. The site layout shall be developed using the masterplan as a guide and taking account of the requirements of all conditions on this consent.

Condition 3(d) the proposed roundabouts on Lochend Road and Johnston Road shall be designed to accommodate four arms to allow for future development to the adjoining areas of the Community Growth Area.

Condition 3(f) site entrance features to be incorporated at the proposed access roundabouts on Lochend Road and Johnston Road.

Condition 16 that for the avoidance of doubt, this condition does not allow for any housing development on Site 2 (ie the site to the east of the M73) or the western portion of Site 1 (as outlined within the indicative masterplan and as shown on Page 63 of the Glenboig/Gartcosh Community Strategic Development Framework document).

2.3 In line with earlier advice from the council, the above indicative masterplan showed no housing on the two areas of land referred to in Condition 16. Housing development was

therefore focussed on the main section of Site 1 to the north of Johnston Road and the much smaller Site 3 to the south of Johnston Road.

- 2.4 While Conditions 3(d) and (f) refer to roundabout junctions on Johnston Road and Lochend Road, this merely reflects the indicative masterplan – there is no condition attached to the PPP requiring provision of roundabout junctions or, indeed, the provision of the western link road from the proposed Site 1 housing to Lochend Road.
- 2.5 In December 2016, Bellway Homes and Deuchny Properties submitted an application for MSC approval in relation to a first phase of housing on the southern half of Site 1. The proposals were approved in March 2017 (Ref: 16/02234/MSC). The approval included the creation of a three arm roundabout on Johnston Road that was designed to be easily extended to provide a future fourth arm to the south. The approval allowed for 155 homes to be built between Johnston Road and the wayleave associated with the major gas main running east-west across the middle of Site 1.
- 2.6 The approved Phase 1 development is now complete, hence the current MSC applications in relation to proposed Phases 2 and 3. The indicative masterplan accompanying the PPP showed the line of the gas main across the site and the principle of the associated wayleave. However, it was only in discussions regarding the Phase 1 MSC that the full extent of the required wayleave became apparent. These discussions also highlighted that only one point of vehicular access could be provided across the wayleave to give access between Phase 1 and any future phases of housing development to the north. This has had the effect of reducing the developable area within Site 1 and requiring a realignment of any link road between the housing and Lochend Road.

SITE DETAILS

- 2.7 The current proposals for a second and third phase of housing development relate to the balance of the land shown as Site 1 on the indicative masterplan.
- 2.8 Phase 2 is to take place on the land immediately to the north of Phase 1 and the gas main wayleave. Here the land drops steeply from a high point near the wayleave of 97 AOD to a low point in the northeast corner at some 70 AOD. Phase 3 is proposed for the northern part of the previously proposed open space immediately east of Lochend Road. Here the topography is more complex but in general it falls from a high point on the north boundary of some 93 AOD to a low point in the vicinity of the previously suggested roundabout access at 80 AOD. To the south of this the land then rises up steeply to the boundary with the exiting Inchnock Avenue housing.
- 2.9 The Phase 2/3 land consists of vacant, open grassland with significant tree groups and individual trees around the periphery. In addition, there is one larger area of woodland within the site, close to the northeast boundary. The site is unaffected by any natural or built environment designations and is not in an area of known flood risk.

3. THE CURRENT APPLICATIONS

- 3.1 As already noted, the proposals for the Phase 2 and Phase 3 homes are contained within separate, but linked, MSC applications. As aspects of both proposed phases of development depart from the strict terms of conditions attached to the original PPP, a parallel Section 42 application seeks to vary the relevant PPP conditions.
- 3.2 The Phase 2 MSC seeks permission for construction for 107 homes on the land immediately to the north of Phase 1 and the more established housing at Inchnock Avenue. This includes the provision of 12 affordable housing units to a specification agreed with North Lanarkshire Council. The Phase 2 application also includes two key elements of the wider development, namely:
 - The creation of a substantial area of public open space between the Phase 2 homes and Lochend Road (north of Inchnock Avenue); and
 - The construction of a link road between the Phase 2 homes and Lochend Road with the formation of a new priority junction at the latter. (Note: the alignment of this road differs significantly from that shown in the PPP Indicative Masterplan).
- 3.3 The total site area for Phase 2, including the open space and access road, amounts to 9.31 hectares. However, the open space and access road are also relevant to, and linked to, the proposed Phase 3 homes.



3.4 The Phase 3 MSC seeks permission for the construction of 75 homes on land to the east of Lochend Road and to the north of Inchnock Avenue. This includes the provision of 12 affordable housing units to a specification agreed with North Lanarkshire Council. Access to Phase 3 is via the proposed Phase 2 link road. The total site area of Phase 3 is 3.11 hectares. The nature, extent and cost of the link road go beyond what can reasonably be expected in order to provide a secondary access for the Phase 2 homes. The Phase 3 homes therefore provide cross-funding for the Phase 2 road infrastructure works.



3.5 Together with the completed Phase 1 development, the proposals within the current two MSC applications will result in the following total unit numbers:

Phase 1	155 Units
Phase 2	107 Units
Phase 3	75 Units
Total	337 Units

3.6 As can be seen, the total number of units achievable falls well below the figure of 'up to 450 units' allowed for in the PPP. One final, small area of development land lies to the south of Johnston Road (known as Site 3). Feasibility exercises suggest that this has capacity for somewhere around only 30 units leaving the total numbers achievable within the PPP boundary well short of the approved quantum.

3.7 As already noted, the Section 42 application seeks to vary the terms of PPP Conditions 3(d), (f) and 16. These variations are required for the following reasons:

- The Phase 2 access proposals now involve the formation of a priority junction at Lochend Road rather than a roundabout (in line with pre-application discussions with North Lanarkshire Council);

- The approval of a PPP application for housing on Heathfield Farm to the west of Lochend Road no longer involves direct vehicular access to/from Lochend Road thus removing the requirement for a four arm junction; and
- The Phase 3 proposals for homes on the part of Site 1 adjoining Lochend Road, contrary to the terms of Condition 16.

3.8 In order to remove any conflict between the Phase 2 and Phase 3 MSC proposals and the PPP, the Section 42 application proposes the following variations to the wording of the relevant conditions:

Condition	Existing Wording	Proposed Wording
Condition 3(d)	The proposed roundabouts on Lochend Road and Johnston Road shall be designed to accommodate 4 arms to allow for future developments to the adjoining areas of the Community Growth Area	The proposed roundabout on Johnston Road shall be designed to accommodate 4 arms to allow for future development to the adjoining areas of the Community Growth Area
Condition 3(f)	Site entrance features to be incorporated at the proposed access roundabouts on Lochend Road and Johnston Road	Site entrance features to be incorporated at the proposed access junctions on Lochend Road and Johnston Road
Condition 16	That for the avoidance of doubt, this permission does not allow for any housing development on Site 2 (ie the site to the east of the M73) or the western portion of Site 1 (as outlined within the indicative masterplan and as shown on Page 63 of the Glenboig/Gartcosh Community Strategic Development Framework document)	That for the avoidance of doubt, this permission does not allow for any housing development on Site 2 (ie the site to the east of the M73) as outlined within the indicative masterplan and as shown on Page 60 of the Glenboig/Gartcosh Community Strategic Development Framework document. Any development on the western portion of Site 1 should incorporate a substantial area of open space that ensures the separation of Gartcosh and Mount Ellen.

3.9 It should be noted that the applicants have no problem with PPP Condition 16 continuing to state that it does not allow for housing development on Site 2 to the east of the M73. However, an element of housing on the western portion of Site 1 is essential in order to

deliver the Lochend Road junction and link road to Phase 2. Without this, only 45 of the 107 units proposed in Phase 2 can actually be developed.

- 3.10 While the proposals within the current Phase 2 and 3 MSC applications plus the potential final MSC for the land south of Johnston Road will still only produce a total of some 367 units (compared with the 450 units permitted under the PPP), the joint applicants accept that there is no scope to make up the numbers anywhere else within the boundary of the PPP. It is therefore expected that the shortfall will be made up elsewhere within the CGA, most likely in the reserved area west of Heathfield Farm.

4. PLANNING POLICY CONTEXT

- 4.1 Scottish Government Policy in relation to planning is set out within the Scottish Planning Policy (SPP) document of June 2014 (the 2020 version having been quashed following court action in early 2021). This includes relevant policy guidance in relation to enabling the delivery of new homes. SPP provides policy context for development planning and development management decisions by planning authorities.
- 4.2 One of the key principles of the SPP is the promotion of sustainable economic growth. As a result, the first policy principle set out in the SPP is that there should be a presumption in favour of “development that contributes to sustainable development” (Paragraph 28). This means that policies and decisions should be guided by a number of principles as set out in Paragraph 29 including:
- Giving due weight to net economic benefits;
 - Supporting good design and the six qualities of successful places;
 - Making efficient use of existing capacities of land, buildings, and infrastructure;
 - Supporting delivery of accessible housing, business, retailing and leisure development.
- 4.3 The SPP also enshrines the importance of placemaking and a design-led approach in order to create high quality places (Paragraphs 36 to 46). Distinctiveness, visual quality, adaptability, resource efficiency and ease of movement are all noted as key factors in the creation of successful places. In relation to housing the focus of the SPP is on the identification and maintenance of a generous supply of housing land (Paragraph 110). The planning system should enable provision of a range of attractive, well-designed energy efficient, good quality housing, contributing to the creation of successful and sustainable places. Moreover, the planning system should be focused on delivering allocated housing sites.
- 4.4 The SPP provides guidance regarding the manner in which a planning authority should assess the housing land requirement for its area. Local development plans should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement (Paragraph 119). A minimum 5-year effective housing land supply should be maintained at all times (Paragraph 123) and action is required wherever a shortfall in this effective housing land supply emerges (Paragraph 125).
- 4.5 Paragraph 194 of the SPP sets out various things that the planning system should achieve. The first item on the list is that it should *‘facilitate positive change while maintaining and enhancing distinctive landscape character’*. This provision has previously been quoted by the council in relation to its guidance on the CGA.

THE DEVELOPMENT PLAN

- 4.6 The development plan for the current applications comprises the:
- adopted Glasgow and the Clyde Valley Strategic Development Plan (2017) (Clydeplan);
 - adopted North Lanarkshire Local Plan (2012) (LP).

- 4.7. Clydeplan provides the strategic development context for the adopted LP, but the latter is the key component in terms of individual site appraisals and design development.
- 4.8. The adopted LP is now well out of date and the council is in the final stages of preparing a new Local Development Plan (LDP) to replace the LP. The LDP has been subject to an Examination and the Reporter's findings have been issued. The council is now in the process of adopting the LDP. As such, the LDP represents the council's up to date policy position on all land use matters and can be considered as a significant material consideration in the determination of planning applications.

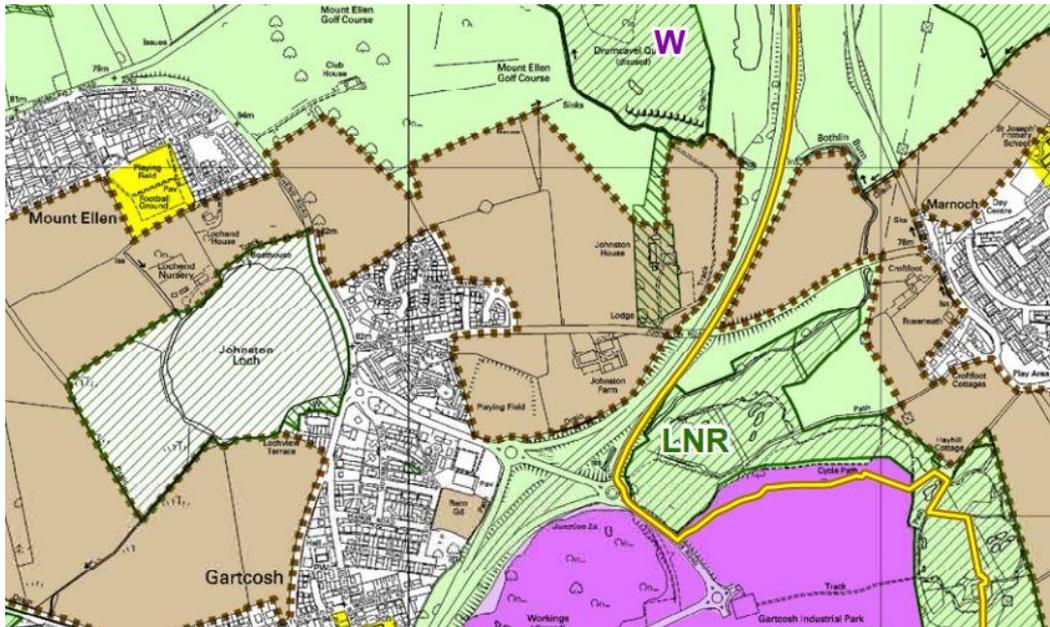
CLYDEPLAN

- 4.9. Clydeplan outlines a Vision for the city-region up until 2036, the key principles of which are set out in the 'Compact City' Model including sustainable economic growth, placemaking, regeneration, minimising carbon and development footprints, and improved environmental quality.
- 4.10. To meet the objectives of the Vision and guide development in the wider city-region, a Spatial Development Strategy is detailed and Supporting Policies are provided. The strategy confirms that CGAs, including Gartcosh/Glenboig, are seen as '*an important component of the planned sustainable growth of the city region*'. As such, the CGAs appear as one of the spatial priorities on Clydeplan Diagram 2.
- 4.11 Policy 1 Placemaking requires that new development should contribute towards the creation of high quality places. To achieve this new development proposals should take account of the 'Placemaking Principles'.
- 4.12 In relation to the delivery of new homes, Paragraph 6.22 of Clydeplan acknowledges that housing plays a fundamental role in the overall economic, social and environmental success of the city region. Clydeplan sets out an estimate of housing land requirements at the strategic level.
- 4.13 Policy 8 Housing Land Requirement requires planning authorities to make provision for an appropriate, effective land supply at all times and notes that planning authorities should take steps to remedy any shortfalls in the 5 year supply through granting planning permission, on greenfield or brownfield sites, subject to a list of criteria.
- 4.14 In relation to housing land supply, Clydeplan Paragraph 6.25 again confirms that the strategy includes a range of large scale, planned greenfield sites including the CGAs. These are seen as important to providing a range and choice of housing opportunities. In the housing land requirement and supply tables that follow the Gartcosh/Glenboig CGA has therefore been included as part of the current, effective land supply.

LOCAL PLAN

- 4.15 The LP was adopted by the council on 28 September 2012.
- 4.16 The Proposals Map of the adopted LP identifies all of the land covered by the Johnston Road PPP as lying within the CGA. This includes Site 2 and the western portion of Site 1 where PPP Condition 16 does not provide for any housing to be developed.

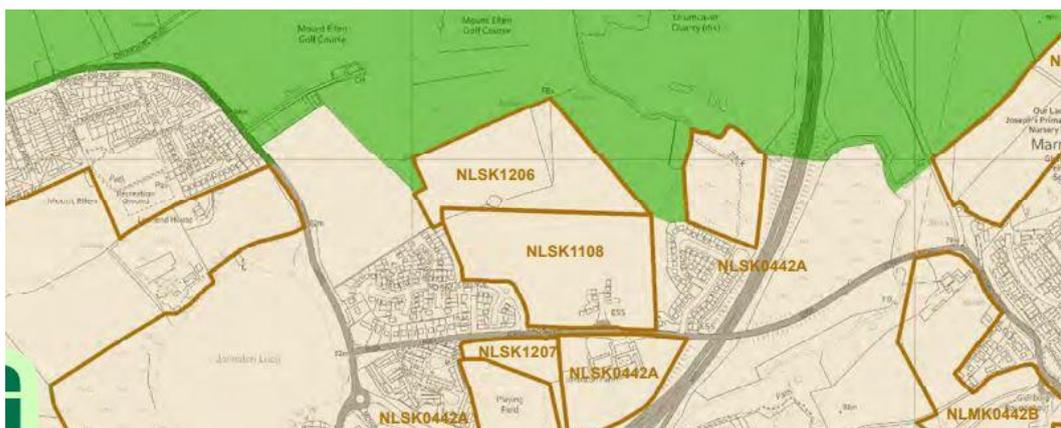
However, as can be seen from the Proposal Map Extract below, there is no indication of such 'no build areas' on the Proposals Map.



- 4.17 The text of the adopted LP confirms that the anticipated capacity of the Gartosh/Glenboig CGA is 3,000 units (Paragraph 3.2). Policy HCF2B then goes on to state that the council will satisfy a significant proportion of housing demand in the period 2011 to 2018 through planned urban expansion in the Community Growth Areas subject to the criteria in Supplementary Planning Guidance (including Concept Statements, Strategic Development Frameworks and Masterplan). There is no mention in the LP text of any 'no build areas' within the CGA.

EMERGING LOCAL DEVELOPMENT PLAN

- 4.18 As already noted, the LDP has been through an Examination, the formal Report of Examination has been issued and the plan is going through the final stages of adoption.
- 4.19 The LDP is accompanied by separate 'Promote' and 'Protect' maps rather than a single Proposals Map. As the extracts below illustrate, the Phase 1 and Phase 2 sites north of Johnston Road are identified as existing housing sites with housing land audit references. The proposed Phase 3 site is shown as lying within the General Urban Area but it is not specifically identified as an existing or proposed housing site. Despite this, it is notable that the parallel 'Protect' map doesn't identify the land as being protected for open space purposes or as part of the green network.

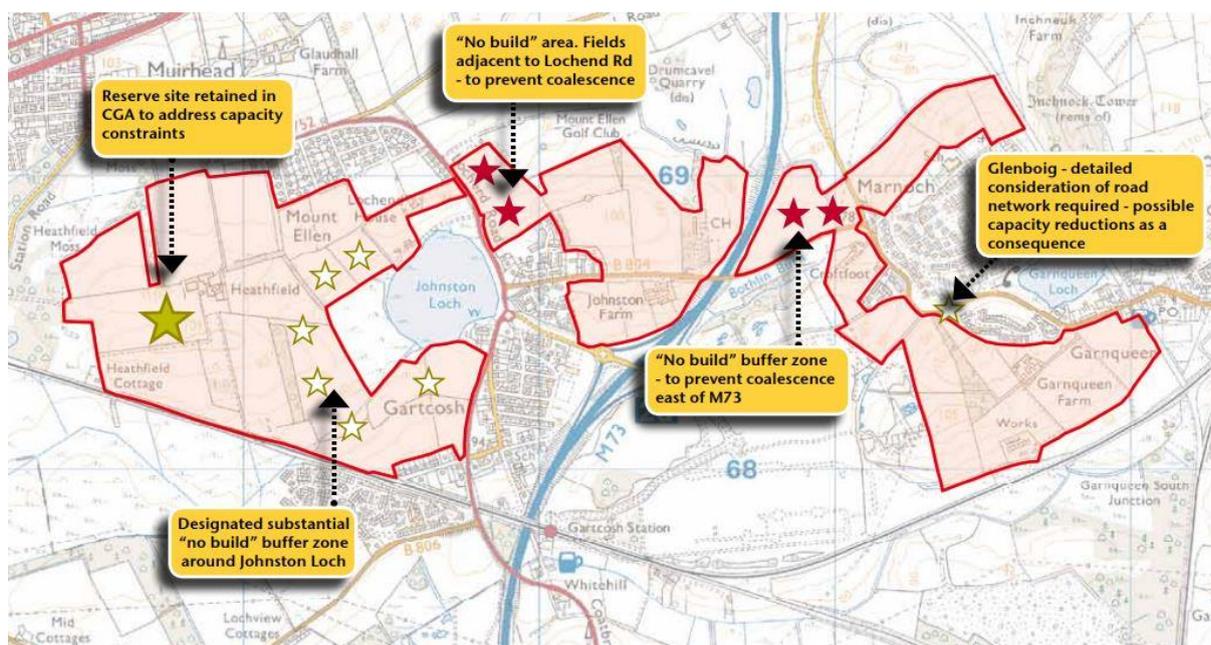


- 4.20 LDP Policy PROM LOC3 commits the council to maintaining a minimum 5 year effective land supply for housing in each housing sub-market area at all times. In the event of any shortfall the council will consider additional housing sites on a sequential basis starting with *'sites within the proposed Urban Area with no protection designation'*. The Proposed Phase 3 development within the current MSC application at Gartcosh can be seen to fall into this category.
- 4.21 In relation to placemaking, LDP Policy PP3 states that General Urban Areas are either primarily residential in character, or have a mixture of recognisably urban uses. Development in Class 9 (houses) is *'deemed to support the purpose of those places and offer the best opportunity to meet the aims of those places'*. Proposals for uses outwith Classes 8 and 9 require to be justified. The implication again, therefore, is that housing is an appropriate use for the Phase 3 land which lies within the General Urban Area despite not yet being identified as an existing housing site.
- 4.22 Within the LDP existing and proposed housing sites are detailed in a series of area strategies. Gartcosh lies within the Northern Corridor Area Strategy. Both the Phase 1 and Phase 2 sites appear as existing housing development sites within the area strategy. The capacity of Phase 1 is shown as 155 units in line with the implemented planning permission. The capacity for Phase 2 is shown as 245 units, well in excess of the numbers that are now known to be achievable on the site.
- 4.23 As with the adopted LP, the proposed LDP nowhere states that the land identified as Phase 3 cannot be developed for housing.

CGA CONCEPT STATEMENT

- 4.24 The Concept Statement for the Gartcosh/Glenboig CGA was prepared by the council in April 2010. It set out broad parameters for the development of the area and called for the preparation of a masterplan or masterplans. It then set out general guidance under a number of topic headings.
- 4.25 In relation to 'Local Character' the Concept Statement stated that *'the layout implication of new development within the CGA must ensure that the two villages [Gartcosh and Glenboig] remain clearly separate communities, and do not appear to coalesce. In order to achieve this the land immediately east of the M73 is considered to be important in ensuring that there is no perception of coalescence and should remain as open space'*. It then goes on to say that *'similarly, open space should be retained between Gartcosh and Mount Ellen'*.
- 4.26 The Concept Statement concludes with a diagrammatic Issues Map (see below). This identifies three 'no build areas' – land east of the M73, the fields adjacent to Lochend Road and a buffer zone around Johnston Loch.

Gartcosh:Glenboig Community Growth Area – Issues Map



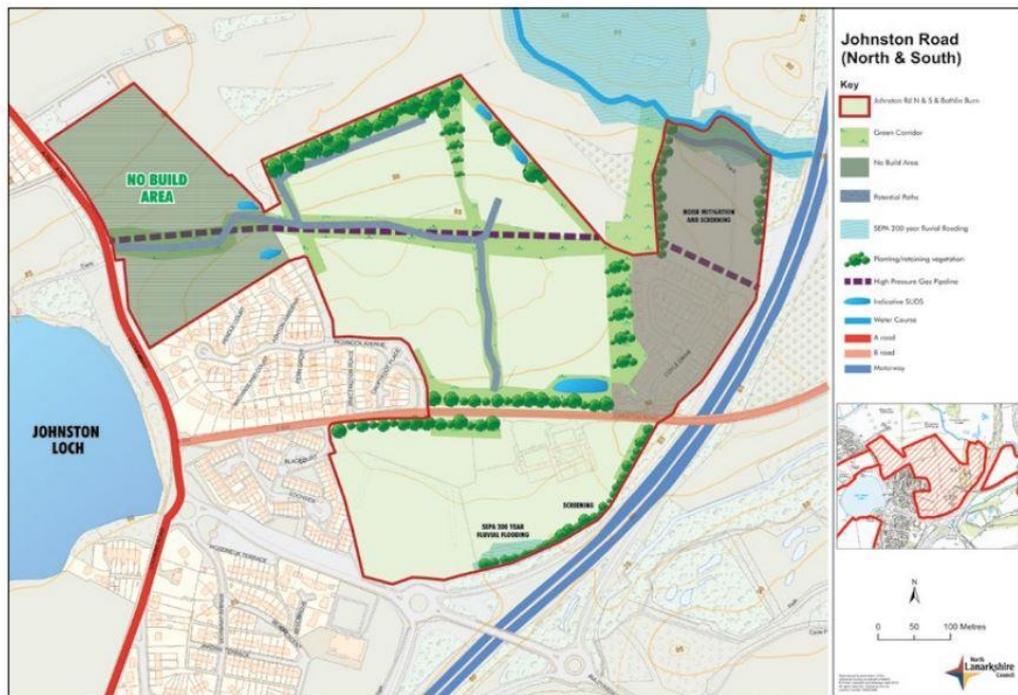
- 4.27 It is notable that the concern within the Concept Statement regarding coalescence pre-dates the revision of SPP in 2014. The latter removed any reference to coalescence being an issue for the planning system or one of the functions of the greenbelt.

CGA STRATEGIC DEVELOPMENT FRAMEWORK

- 4.28 The Gartcosh/Glenboig CGA Strategic Development Framework (SDF) was approved by the council in April 2014. The document does not have development plan status but it has been a material consideration in the determination of planning applications within the CGA.
- 4.29 The SDF by its very nature provides guidance rather than being a statement of policy. As the name suggests it provides a framework within which proposals can be brought forward and so cannot be seen as prescriptive. It is now over seven years old and departures from the strict terms of the SDF have been allowed elsewhere within the CGA.
- 4.30 The SDF develops the approach set out in the earlier Concept Statement and provides more specific development requirements for the CGA. It also provides a series of site specific design requirements.
- 4.31 Paragraph 9.2 deals with 'No Build Areas'. It notes that the aim is to *'provide flexibility to allow protection of key landscape settings and ensure that development takes place at appropriate locations and with suitable ground conditions'*. At Paragraph 9.2.2 it is noted that the no build areas are included *'to prevent coalescence between settlements and protect landscape character'*. It goes on to say that the planning authority *'will oppose proposals for built development in these areas'*. As already noted, the proposed Phase 3 homes involve development on part of a 'No Build Area' and so would represent a departure from the terms of the SDF. Appendix 01 of the SDF refers to various aspects of SPP including Paragraph 194 which, as already noted, states that the planning system should *'facilitate positive change while maintaining and enhancing distinctive landscape character'*[our emphasis]. It is notable that this requirement differs from the statement within the SDF itself that the aim is to *'protect landscape*

character'. The SPP therefore appears to give more emphasis to the need to justify why landscape character is 'distinctive enough' to require protection or enhancement.

- 4.32 The other element of the SDF justification for 'No Build Areas' is that they would prevent coalescence. It is notable that nowhere in the SPP is there any mention of coalescence being a relevant consideration.
- 4.33 Chapter 10 of the SDF provides specific guidance for the housing sites north and south of Johnston Road. At Paragraph 10.3.1 it notes the Johnston Road (north) site as extending to 20.7 hectares including a 6 hectare 'no build area' at the western end adjoining Lochend Road. The indicative capacity for the combined sites (equivalent to Bellway Phases 1, 2 and 3) is 350 – 400 dwellings.



- 4.34 The identified use for the land north of Johnston Road is residential, other use being open space and play provision. By any measure, 6 hectares represents an unreasonable amount of land to be set aside for open space purposes. The site specific bullet point requirements for Johnston Road (north) all relate to landscaping and open space. These requirements have already been incorporated within Bellway's Phase 1 development.

5. ASSESSMENT OF PROPOSALS

- 5.1 Section 25 of the Town & Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 (the Act) requires that planning applications should be determined in accordance with the prevailing development plan unless material considerations indicate otherwise.
- 5.2. It is important to note that the Act refers to the development plan as a single entity, not just to categories of policies or proposals, which might be considered specifically relevant to any one development. It is therefore necessary to take into account the aims and objectives of the development plan as well as the specific policies. Where a development plan is out of date it is likely that greater weight will be given to material considerations including the proposed provisions within emerging new plans.
- 5.3. As already noted, Clydeplan provides for development of 3,000 houses within the Gartcosh/Glenboig CGA. Given its strategic nature, however, it provides no guidance regarding the location of housing within the CGA. There is therefore no conflict between the current proposals for Phase 2 and Phase 3 housing and the Clydeplan element of the development plan.
- 5.4 Both the adopted LP and the soon be to adopted LDP identify the Phase 2 and Phase 3 sites as lying within the General Urban Area and within the CGA. There is nothing in either document to indicate that housing cannot take place on the identified Phase 3 land east of Lochend Road although only the Phase 2 land is identified as an ‘existing housing site’.
- 5.5 Given this, it is clear that the current Phase 2 MSC proposals accord with both the LP and the emerging LDP. Similarly, the fact that the Phase 3 MSC proposals lie within the General Urban Area means that there is a presumption in favour of residential development. This is clear from the terms of LDP Policy PP3.
- 5.6 Turning to the council’s supplementary planning guidance regarding the CGA, the Concept Statement and the SDF both pre-date the SPP which, as noted, contains no reference to coalescence being a relevant factor for consideration in the planning system. Given this, less weight can be attached to the ‘No Build Area’ provisions within the two documents.
- 5.7 Both documents are also now well out of date, having been produced in 2010 and 2014 respectfully. In such circumstances, less weight can be attached to their provisions than to more recent planning policy documents. It is also relevant to note that neither document has been formally adopted as part of the development plan – their status remains that of general guidance notes only.
- 5.8 It is notable that the SDF goes further than the earlier Concept Statement in restricting housing development on the land to the north of Johnston Road. In the latter it is stated that:
- *‘new development within the CGA must ensure that the two villages [Glenboig and Gartcosh] remain clearly separate communities and do not appear to coalesce’* and
 - *‘similarly, open space should be retained between Gartcosh and Mount Ellen’.*
- 5.9 The SDF elevates this to a general objective to prevent coalescence between settlements not just that they *‘do not appear to coalesce’* with a 6ha ‘No Build Area’ between Gartcosh and Mount Ellen rather than an area of open space as required by

the Concept Statement. It is important to note again here that the joint applicants accept the 'No Build Area' on Site 2 to the east of the M73 – the only concern relates to the 'No Build Area' east of Lochend Road.

- 5.10 In considering the relevance of the SDF 'No Build Area' at Lochend Road to the current Phase 3 MSC proposals, it is important to consider whether the SDF restrictions are reasonable and necessary. Paragraph 194 of SPP confirms that the planning system should concern itself about the maintenance and enhancement of '*distinctive landscape character*'. This is clearly quite different from the broader SDF requirement to '*protect landscape character*'. The SPP gives more emphasis to the need to justify why landscape character is distinctive enough to require protection or enhancement.
- 5.11 In this respect, the SDF contains no evidence regarding the landscape character around Johnston Road/Lochend Road and no reason why it might be considered in any way 'distinctive'. In contrast, the LVI submitted along with the current applications contains a detailed analysis of the sites, the surroundings and the wider area.
- 5.12 The LVI quotes NatureScot landscape character research which describes the wider area as being of '*damaged and fragmented character*'. As such it is dubious whether it could be described as 'distinctive'. At Paragraph 6.1, the LVI notes that the Phase 2 housing proposals relate to Gartcosh while the Phase 3 proposals relate more clearly to Mount Ellen. The proposal to retain around 40% of the SDF 'no build area' as open space ensures that a green gap is retained between the two settlements. The LVI confirms that this '*would present the perception of separation*' between the two settlements, thus achieving the overall aim of the Concept Statement and the SDF, if not the precise provisions regarding the Lochend Road 'No Build Area'.
- 5.13 LVI drawing L6 and Paragraph 6.12 demonstrate the manner in which the proposed substantial open space at the western end of Phase 2 contributes towards the wider green network with a significant, clear link between the former golf course to the north east, Johnston Loch to the west and the wider Seven Lochs project area beyond.
- 5.14 In relation to visual impact, the LVI concludes that the impact of the proposed Phase 3 development will generally be low due to the topography and peripheral tree cover. Both factors are seen as contributing to the perception of a clear, green separation between Gartcosh and Mount Ellen following the development of both Phase 2 and Phase 3 housing.
- 5.15 Given all of the above, it is clear from the LVI that the existing landscape character cannot be described as 'distinctive' and that the proposed retention of 40% of the Lochend Road site as open space can be seen to address the aims and objectives of the SDF. The blanket 'No Build Area' east of Lochend Road can be seen to be neither reasonable nor necessary in such circumstances.
- 5.16 In considering the proposed departure from the terms of the SDF to accommodate the proposed Phase 3 housing, it is relevant to note that the council has already permitted significant departures in approving housing proposals south of Johnston Loch and at Heathfield Farm to the west. On the land south of Johnston Loch the Concept Statement showed a proposal 'No Build Area' but this was reduced to a requirement for a 30m buffer around the loch in the SDF. PPP was granted on this basis (Ref: 14/01849/PPP) but in approving the subsequent MSC the council accepted a reduction of the buffer to less than 20m (Ref: 16/01850/MS).
- 5.17 More recently, the council has approved proposals for housing at Heathfield Farm (Ref: 19/0274/PPP). This decision was taken despite a consultation response dated 27 March 2019 from the Environmental Design and Engineering section which stated:

'this development will have a significantly adverse visual effect on the local landscape' and that 'the settlements of Gartcosh and Mount Ellen will effectively coalesce'.

- 5.18 These decisions demonstrate that it is possible for planning permission to be granted for development even though they might appear to run counter to provisions within the SDF. As the council accepts that the Heathfield Farm development will lead to coalescence of Gartcosh and Mount Ellen it would appear unreasonable for the council to continue to insist on the full 6 hectare 'No Build Area' to the east of Lochend Road in order to avoid coalescence. The principle of allowing development with a green corridor through the area has been accepted at Heathfield Farm and there is no sound basis for opposing a similar solution on the land to the east of Lochend Road. As already noted, the submitted LVI confirms that the proposed design approach will result in an albeit narrower, but clear, green separation between the settlements.
- 5.19 Turning to the Johnston Road PPP, it is clear from Condition 2 that the submitted indicative masterplan is to be used as a guide to the future development, not a prescriptive limit on the extent and location of housing that will be approved. As the Phase 3 proposals can be seen to achieve the aims and objectives of SDF guidance there is therefore no impediment to the variation of PPP Condition 16 to allow for the Phase 3 housing as proposed.
- 5.20 The joint applicants have confirmed that, while the Phase 2 and Phase 3 proposals are contained in separate MSC applications, the two are inextricably linked and should be considered together. The parallel Section 42 application proposes variations to conditions relevant to both Phase 2 and Phase 3 that ensure no conflict between the PPP conditions and the approval of the Phase 2 and 3 housing proposals.
- 5.21 As already noted, the indicative line of the link road between Phase 2 and Lochend Road has subsequently proved to be unviable for various technical reasons. A further crossing of the gas main wayleave was found to be unacceptable while site levels meant that an appropriate SuDS outfall could not be found. An alternative alignment for the link road therefore had to be found and this is shown in the Phase 2 proposals.
- 5.22 PPP Conditions 3(d) and (f) reflect the access arrangements as shown on the indicative masterplan. Both assume the provision of roundabouts at Lochend Road and Johnston Road with the ability to take a fourth arm for future development. However, given the need for realignment of the Lochend Road link road and junction and given the confirmation that there would be no vehicular access to/from Heathfield Farm to the west, the requirements of Condition 3(d) and (f) are no longer relevant.
- 5.23 The introductory text in Condition 3 requires the subsequent listed items to be provided unless otherwise agreed in writing with the council. The changes to the alignment to the link road and the provision of a priority junction rather than a roundabout on Lochend Road were the subject of pre-application discussions with the council prior to the submission of the current applications. The principle of the proposed arrangement was agreed subject to the provision of the relevant technical information regarding operation of the junction. The Tetra Tech technical note provided along with the current applications demonstrates that the proposed priority junction is appropriate and that it meets council requirements. It is therefore entirely appropriate that the reference to a roundabout at Lochend Road should be removed from the terms of Conditions 3(d) and (f).
- 5.24 In relation to Condition 16, it is notable that the permission does not preclude housing development at all on the Phase 3 site. It merely states that the permission *'does not allow for housing development'* on the site. Varying the condition as proposed would therefore allow approval of the Phase 3 proposals without conflicting with the PPP. As

already set out above, approval of the Phase 3 proposals would accord with the development plan as well so there should be no issue in the council doing this.

- 5.25 The proposed variation of Condition 16 would retain 'No Build Areas' on Site 2 and the proposed large area of open space on the western portion of Site 1 as shown in the Phase 2 MSC. In this way the council can ensure that (a) the separation between Gartcosh and Glenboig is retained and (b) an area of protected open space is retained between Gartcosh and Mount Ellen. The joint applicants accept that the total unit numbers permitted under the PPP are not now achievable but Phase 3 is important in reducing the scale of the shortfall.
- 5.26 Finally, another material consideration in the determination of the current MSC applications is the limitation on access to Phase 2. The dimensions of the existing access road through Phase 1 are such that only 45 of the proposed Phase 2 units could be built and occupied prior to provision of the link road to Lochend Road. The length of this road and the required ground works are such that it cannot be provided without additional enabling development to provide cross funding. It is for this reason that the Phase 3 proposals have been introduced. There is therefore a direct financial link between the delivery of Phase 2 and Phase 3.
- 5.27 Approval of both Phase 2 and Phase 3 is also necessary in order to ensure delivery of the 24 proposed affordable housing units. Without Phase 3 and the link road even the delivery of 12 Phase 2 affordable units cannot be guaranteed.

6. CONCLUSIONS

- 6.1. MSC applications have been submitted in relation to Phase 2 and Phase 3 of the proposed housing to the north of Johnston Road, Gartcosh within the wider CGA. A parallel Section 42 application has been submitted to address potential conflicts between the Phase 2 and Phase 3 proposals and the governing PPP.
- 6.2. The Phase 2 proposals involve development of an existing housing site in line with the development plan. The Phase 3 proposals involve land within the identified General Urban Area where there is a presumption in favour of housing even though the site is not specifically identified for this use in the development plan. The Phase 3 housing proposals are necessary in order to assist in the delivery of the internal link road between Phase 2 and Lochend Road. Without this only a fraction of the proposed units on the existing housing site can be achieved. There is therefore a direct link between the approval of the Phase 2 and Phase 3 applications.
- 6.3. While both applications accord with the prevailing development plan, there is a potential conflict between the Phase 3 proposals and the guidance provided in the council's SDF. However, a detailed landscape and visual impact assessment has been carried out which has confirmed that there would be no adverse impact on landscape character and that the visual impact would be generally low. The proposed retention of a large area of open space at the western end of Phase 2 ensures the continued perception of a visual separation between Gartcosh and Mount Ellen in line with the aims and objectives of the SDF.
- 6.4. The SDF is now well out of date. It has no development plan status and a review of its provisions regarding the land east of Lochend Road has demonstrated that identification of the entire 6 hectares of land as a 'No Build Area' is neither reasonable nor necessary in order to achieve the council's overall aims and objective for the area. The weight afforded to the SDF in the determination of the current applications should therefore be limited.
- 6.5. Given all of the above, it is safe to conclude that the proposed development should be granted subject to such conditions as may be appropriate.

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