

Notice of Meeting and Agenda Local Review Body.

Date	Time	Venue
Tuesday, 15 November 2022	14:00	Microsoft TEAMS platform,

MARK CONAGHAN
Head of Corporate Governance

Membership

Councillor Neill Graham: Councillor Anne Hannigan: Councillor John McNaughtan: Councillor
Iain Nicolson: Councillor Jim Paterson:

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

Items of business

1 Procedure Note

2 LRB04.22

Review the Planning Authority's decision to refuse planning permission for the erection of a dwellinghouse (in principle) at Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX. (21/1625/PP)

2(a) Planning Authority's Submission 1 - 48

Submit documentation on which the Planning Authority decided to refuse planning permission for the erection of a dwellinghouse (in principle) at Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX.

2(b) Appellant's submission 49 - 106

Submit documentation in support of a review of the Planning Authority's decision to refuse the planning application for the erection of a dwellinghouse (in principle) at Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX.

3 LRB05.22

Review the Planning Authority's decision to refuse planning permission for the erection of a dwellinghouse with associated access (in principle) at Site On Western Boundary Of Marypark, Marypark Road, Langbank.(22/0125/PP)

3(a) Planning Authority's Submission 107 - 224

Submit documentation on which the Planning Authority decided to refuse planning permission for the erection of a dwellinghouse with associated access (in principle) at Site On Western Boundary Of Marypark, Marypark Road, Langbank.(22/0125/PP)

3(b) Appellant's Submission 225 - 248

Submit documentation in support of a review of the the Planning Authority's decision to refuse planning permission for the erection of a dwellinghouse with associated access (in principle) at Site On Western Boundary Of Marypark, Marypark Road, Langbank.(22/0125/PP)

PLANNING AUTHORITY'S SUBMISSIONS

My Ref:
Contact: Clare Murray
Telephone: 07483 370667
Email: dc@renfrewshire.gov.uk
Date: 20 June 2022



Graham + Sibbald
233 St Vincent Street
Glasgow
G2 5QY

Proposal: Erection of dwellinghouse (in principle).
Location: Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX,
Application Type: Planning Permission in Principle
Application No: 21/1625/PP

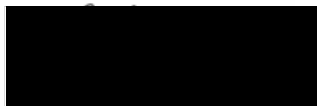
Dear Sir/Madam,

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.

You have the right to appeal against this decision to the Local Review Body and notes on how to appeal are attached.

Yours faithfully,



Alasdair Morrison
Head of Economy and Development

REFUSE Consent subject to the reasons

Ref. 21/1625/PP



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

R & R Construction (Scotland) Ltd

Unit 4

22 Churchill Tower

Ayr

KA7 1JT

With reference to your application registered on 27 October 2021 for Planning Consent for the following development:-

PROPOSAL

Erection of dwellinghouse (in principle).

LOCATION

Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX

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 Consent subject to the reasons listed on the reverse/paper apart.

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: 20/06/2022

Signed
Appointed Officer
on behalf of Renfrewshire Council

Ref. 21/1625/PP

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposal is contrary to Policy ENV 1 of the Adopted Renfrewshire Local Development Plan 2021 as the proposal has not demonstrated a need for new housing that is necessary to support an established greenbelt activity and the details provided are such that it may have an adverse impact on the character of the green belt.
2. The proposal is contrary to Policy E4 of the Adopted Renfrewshire Local Development Plan and the draft New Development Supplementary Guidance, Tourism as it has not been demonstrated that there is a specific location need for the dwellinghouse or that the development would strengthen the appeal and attraction of Renfrewshire to a range of visitors. The details provided are such that the scale of the proposal may also not be proportionate or fit in well with the location.
3. The proposal is contrary to the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as the proposal does not require a specific green belt location or justify the requirement for a residential use outwith the settlement and from the details provided does not demonstrate outstanding quality of design of an appropriate scale for its setting such that it would integrate and enhance the established character of the area.

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: R&R Construction (Scotland) Ltd	Ref. No: 21/1625/PP
Site: Barochan West Lodge, Chapel Road, Houston	Officer: Clare Murray

Documents

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

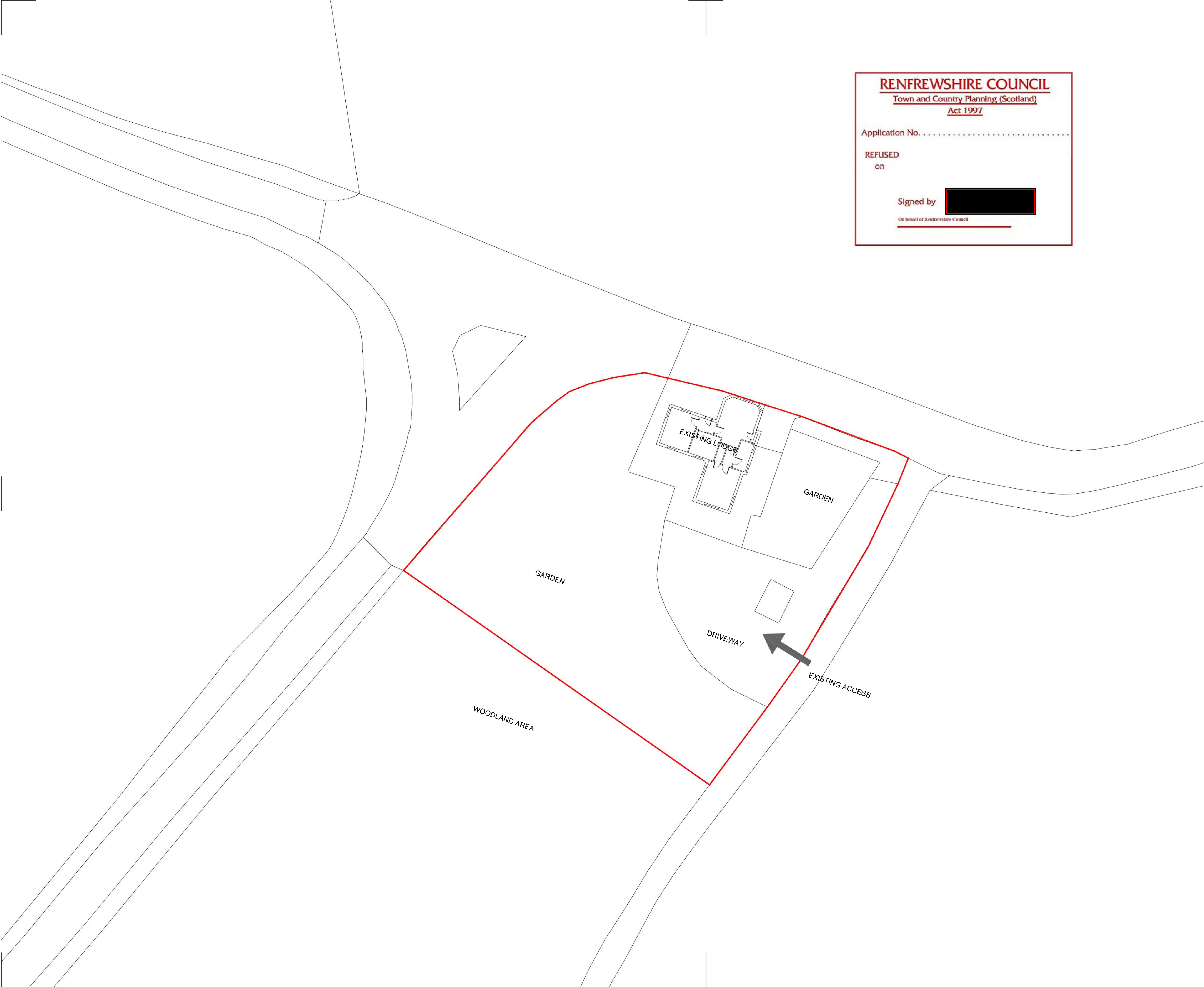
Plans to be stamped

Drawing Number	Drawing Title	Paper & Anite Set (Officer) ✓	Stamped (Admin) ✓	Stamped on anite (Admin) ✓
01	Location Plan	✓		✓
SK 02	Existing Site Plan	✓		✓
03	Indicative Proposed Site Plan	✓		✓

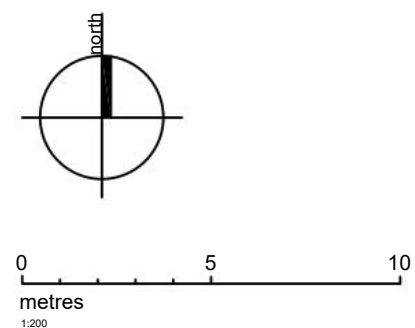
Officers Initials: CM

Admin Initials: _____DM_____

RENFREWSHIRE COUNCIL Town and Country Planning (Scotland) Act 1997	
Application No.	21/1625/PP
REFUSED on	20.06.2022
Signed by	
On behalf of Renfrewshire Council	



NOTES:
FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.
ALL DIMENSIONS TO BE CHECKED ON SITE.



KEY:
Application Boundary 0.16 Hectares

RENFREWSHIRE COUNCIL
Town and Country Planning (Scotland)
Act 1997

Application No.

REFUSED
on

Signed by [Redacted]
On behalf of Renfrewshire Council

Revision: Date: Description:

**GRAHAM SIBBALD**
Chartered Surveyors and Property Consultants
233 St Vincent Street, Glasgow G2 5QY
Telephone 0141 332 1194 Fax 0141 332 5914
Website: www.g-s.co.uk Email: cad@g-s.co.uk

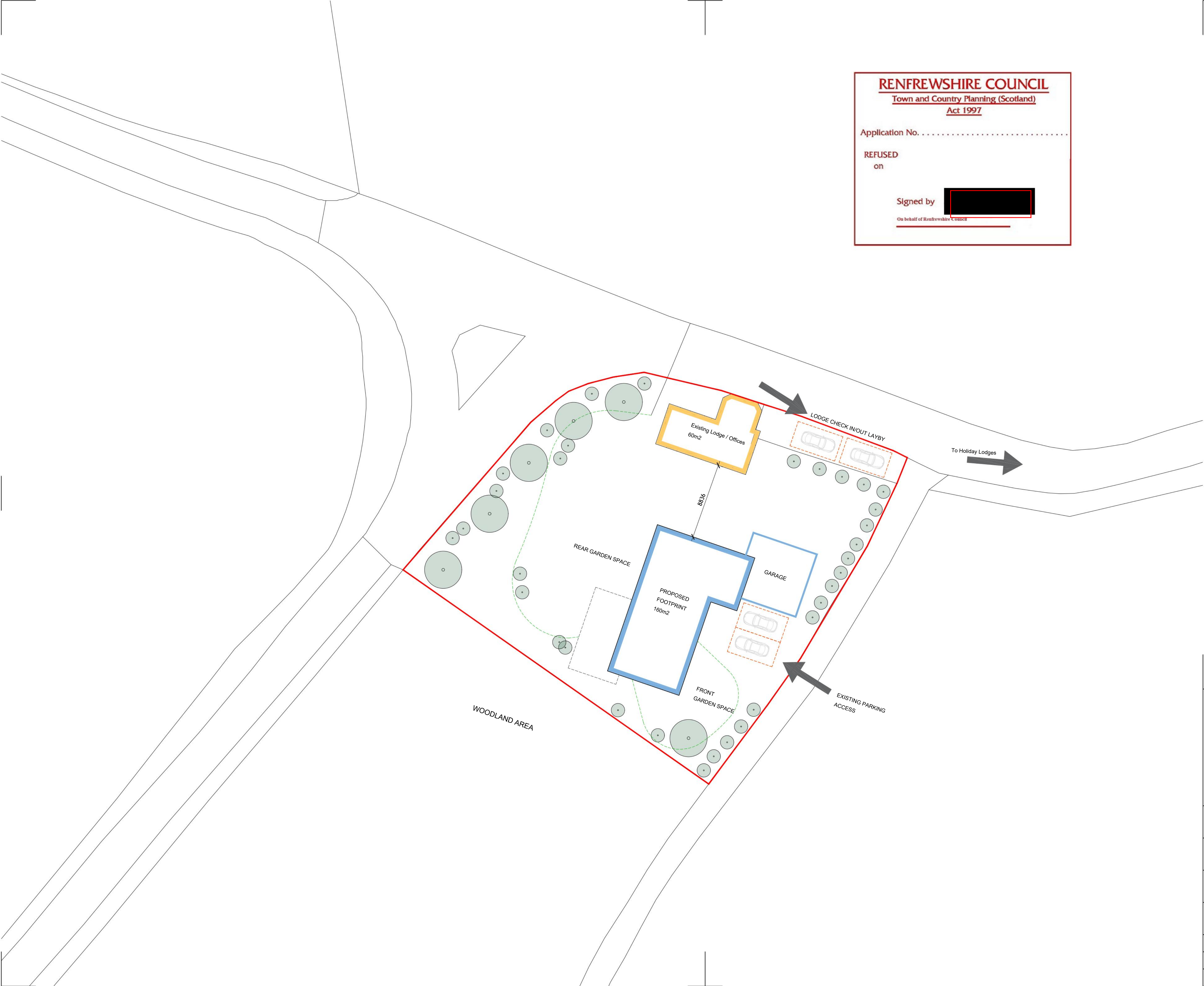
Client
R&R Construction (Scotland) Ltd

Project
West Barochan Lodge - Private House

Address
West Barochan Lodge,
Chapel Road,
Johnstone, PA6 7AX

Drawing Title
Existing Site Plan

Department No. GB_12690	Drg No. SK02	Revision -	Sheet Size 1/200 @ A1
Aims. No. 2021\03\0304		Drawing Status Planning in Principle	
Drawn By AC	Checked By APD	Date 21.10.2021	



RENFREWSHIRE COUNCIL

Town and Country Planning (Scotland)

Act 1997

Application No.

REFUSED

on

Signed by

On behalf of Renfrewshire Council

NOTES:

FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

ALL DIMENSIONS TO BE CHECKED ON SITE.

0

5

10

metres

1:200

KEY:

Application Boundary 0.16 Hectares

Revision: Date: Description:

GRAHAM SIBBALD

Chartered Surveyors and Property Consultants

233 St Vincent Street, Glasgow G2 5QY
Telephone 0141 332 1194 Fax 0141 332 5914
Website: www.g.s.co.uk Email: cad@g.s.co.uk

Client

R&R Construction (Scotland) Ltd

Project

West Barochan Lodge - Private House

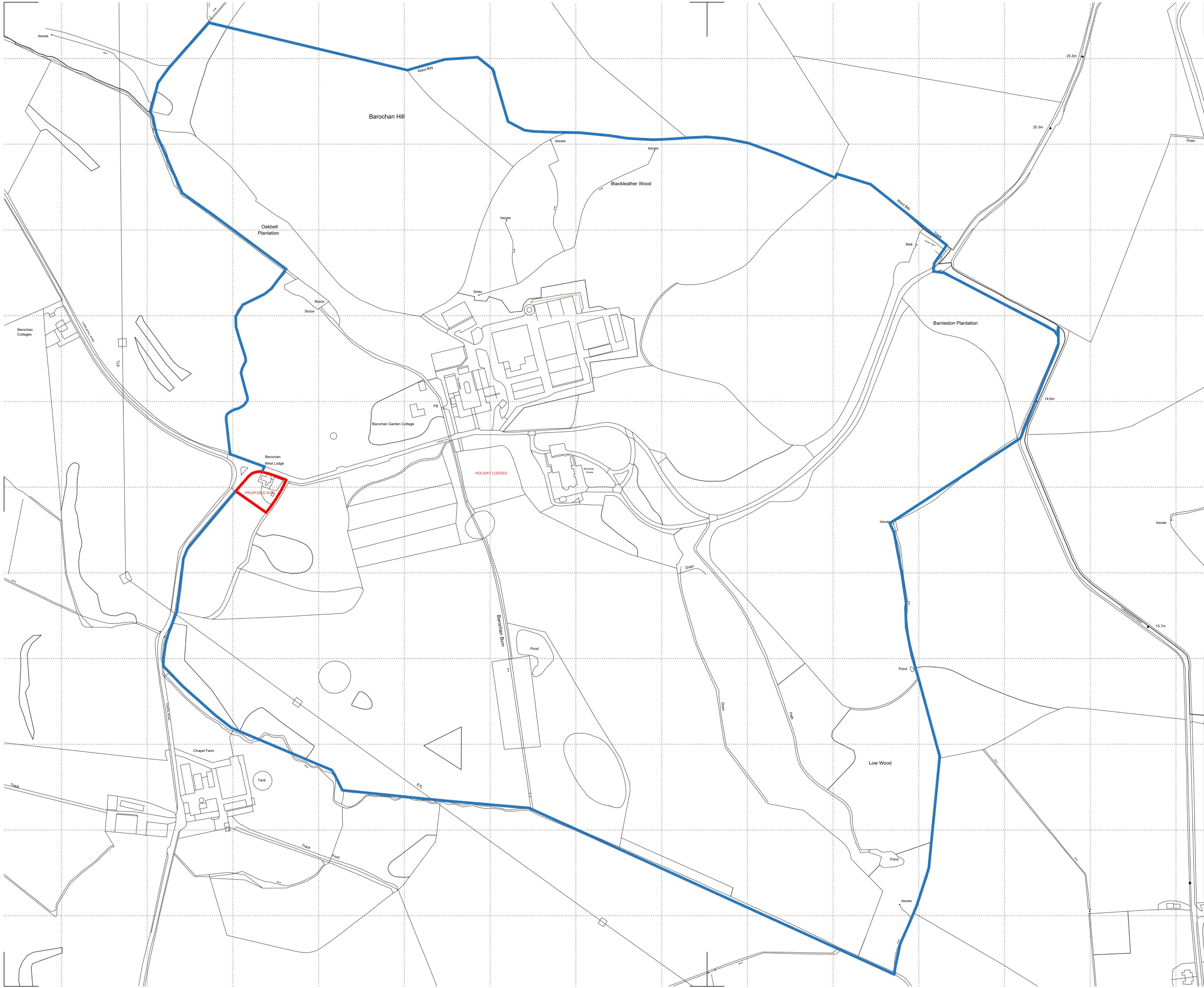
Address

West Barochan Lodge,
Chapel Road,
Johnstone, PA6 7AX

Drawing Title

Proposed Site Layout

Department No.	Drg No.	Revision	Sheet Size
GB_12690	03	-.	1/200 @ A1
Aims. No.	Drawing Status		
2021\03\0304	Planning in Principle		
Drawn By	Checked By	Date	
AC	APD	21.10.2021	



NOTES:
FIGURED DIMENSIONS TO BE TAKEN IN REFERENCE TO SCALED DIMENSIONS.
ALL DIMENSIONS TO BE CHECKED ON SITE.

0 10 20 30 40 50
metres
1:2000

KEY:
Application Boundary
Other Area Owned by Applicant

RENFREWSHIRE COUNCIL
Town and Country Planning (Scotland)
Act 1997

Application No.

REFUSED
on

Signed by

On behalf of Renfrewshire Council

Revision: Date: Description:

GRAHAM SIBBALD
Chartered Surveyors and Property Consultants
233 St Vincent Street, Glasgow G2 5QY
Telephone 0141 332 1194 Fax 0141 332 5914
Website: www.g-s.co.uk Email: cad@g-s.co.uk

Client
R&R Construction (Scotland) Ltd

Project
West Barochan Lodge - Private House

Address
West Barochan Lodge,
Chapel Road,
Johnstone, PA6 7AX

Drawing Title
Location Plan

Department No. GB_12690	Drg No. 01	Revision -	Sheet Size 1/2000 @ A1
Aims No. 2021\03\0304		Drawing Status Planning in Principle	
Drawn By AC	Checked By APD	Date 21.10.2021	

Appendix 1

RENFREWSHIRE COUNCIL		Application No: 21/1625/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd: 11 November 2021
Applicant	Agent	
R & R Construction (Scotland) Ltd Unit 4 22 Churchill Tower Ayr KA7 1JT	Graham + Sibbald 233 St Vincent Street Glasgow G2 5QY	
Nature of Proposals Erection of dwellinghouse (in principle).		
Site Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX		
Description <p>This application seeks planning permission in principle for the erection of a residential dwellinghouse to house an estate manager, within the grounds of a vacant lodge house with a view to converting the lodge house to office use, should the proposal prove acceptable. The application site is located on Barochan Estate, to the northeast of Houston, and comprises the estate gatehouse, known as West Lodge, and its garden grounds. The site is located at the corner of Chapel Road and Corsliehill Road, at the access to Barochan Estate which lies to the east of the site.</p> <p>The application site extends to approximately 0.16Ha and accommodates the existing gate house and gardens. The gatehouse comprises a 2-bedroom single storey traditional building with a pitched slated gable ended roof, with a more recent single storey extension to the rear.</p> <p>It is proposed to retain the gatehouse, divide the plot, and erect a new replacement house in the garden ground to the rear.</p> <p>The applicant has indicated that the gatehouse is in poor condition with significant areas of damp and timber rot which pose a structural and health hazard. It has been indicated that the house cannot be reasonably returned to a habitable state without extensive and prohibitive financial outlay and that a new dwellinghouse is required to fund these works and house a manager for the letting accommodation associated with the estate, which has recently been augmented by a development of 5 lodges. No structural survey information has been submitted in support of this claim.</p> <p>The applicant has submitted a statement in support of the application claiming the need for the manager's accommodation and potential offices is justified by the requirements of the estate and by other planning permissions in the area, which it is submitted, establish a precedent for housing in the green belt.</p>		
History		

<p>Application No: 18/0871/PP Description: Erection of five holiday lodges. Decision: Granted subject to conditions</p> <p>Application No: 17/0664/PP Description: Planning permission in principle for tourism chalet development Decision: Granted subject to conditions</p>
<p>Policy and Material Considerations</p> <p>Adopted Renfrewshire Local Development Plan 2021 Policy ENV1 - Green Belt Policy E4 - Tourism</p> <p>Draft New Development Supplementary Guidance Delivering the Environment Strategy - Green Belt Development Criteria, Housing in the Green Belt Delivering the Economic Strategy - Tourism</p> <p>Material considerations Design Guide for Conversion of Existing Buildings and for New Buildings in the Countryside Planning Advice Note 72 - Housing in the Countryside</p> <p>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.</p>
<p>Publicity</p> <p>An Advert was placed on the press on 1 December 2021 for the following reasons; Potentially Contrary to Development Plan.</p>
<p>Objections/Representation</p> <p>None received.</p>
<p>Consultations</p> <p>Environment & Infrastructure Services (Roads) - No objection subject to relocation of parking spaces outwith the visibility splay.</p> <p>Environment & Infrastructure Services (Design Services) – No objection.</p>
<p>Summary of Main Issues of:</p> <p><u>Environmental Statement</u> – n/a</p>

Appropriate Assessment – n/a

Design Statement – n/a

Access Statement – n/a

Other Assessments – Planning Statement which provides a critique of the proposal, including a justification against planning policy.

Planning Obligation Summary – n/a

Scottish Ministers Direction – n/a

Assessment

Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2021 states that development within the green belt will be considered appropriate in principle where there is a housing land shortfall remedy which satisfies Policy 8 of Clydeplan or is in support of certain uses. These uses include that of a tourism related development acceptable under Policy E4. Stating that support will be given to developments that are able to demonstrate diversification within green belt and rural areas which promote new employment, tourism opportunities or community benefits. It also states that development within the green belt will only be considered acceptable where it can be demonstrated that it is compatible with the provisions of the New Development Supplementary Guidance.

The draft New Development Supplementary Guidance (SG) states that development can be acceptable in principle where it is for a purpose in support of acceptable green belt uses. Green Belt Development Criteria provides a set of guidance that all development require to meet, including that traffic and access infrastructure can be sensitively accommodated and that it has been demonstrated that there has been careful consideration of the siting, design, scale and grouping of any buildings and infrastructure. Further to this guidance Housing in the Green Belt states residential development proposals require to be assessed against the following criteria.

- The development is required to maintain and support an established activity that is suitable in the green belt and is ancillary and within the boundary of the established use;
- It is demonstrated that there is a need for the residential use to be located out with the settlement; Buildings which have special architectural, traditional or historic character which contribute to the setting of the area may be converted or re-used for residential where it can be demonstrated that it is no longer suitable for the purpose originally intended, with the original building forming the main part of the development;
- The proposal demonstrates outstanding quality of design, is of an appropriate scale within its setting and makes a positive contribution to the site and surrounding area;
- The proposal integrates with, complements and enhances the established character of the area and has no significant detrimental impact on the landscape character; and,
- Replacement dwellings must reflect the specific character of the location, fit well with the surrounding landscape and achieve a high design standard and environmental quality. Replacement dwelling(s) require to be of a similar scale, character and massing to other residential units in the surrounding area.

Policy E4 considers that proposals for sustainable tourism development including new or expanded tourism related facilities will be supported where it can be demonstrated that; the proposed development is capable of strengthening the appeal and attraction of Renfrewshire to a range of visitors; the scale of the proposal is proportionate, fits in well with the location and would be compatible with neighbouring land uses; the development will complement existing/proposed tourist facilities in that area; additional visitors may be attracted to the area and can be accommodated by existing infrastructure; the development can demonstrate a specific locational need. Further guidance is also provided under Tourism within the draft New Development Supplementary Guidance.

The applicant has claimed that the proposal is required in support of holiday accommodation granted under planning permission Application Reference No: 18/0871/PP, together with other rental accommodation within the estate and estate business. On this basis, the proposal requires to be assessed against the requirements of Policy E4 and the associated SG. When the proposal is assessed in this way the following conclusions can be made.

The tourist facility granted planning permission though Application Reference No: 18/0871/PP (Erection of five holiday lodges) was for a stand-alone tourist related proposal and not one which required a new managers house to make viable. I do not consider that the erection of a new dwellinghouse to house a manager would either increase the appeal of the holiday lodges or the tourism attraction of Renfrewshire as a whole. Given the scale and character of this tourism facility I do not consider that it has been demonstrated that the proposal is required to support this facility. Further to this the proposed development does not demonstrate a specific locational need as it could be accommodated reasonably within existing surrounding built up areas. It is also noted that the indicative footprint of the proposed house is not of a scale that could be considered to be proportionate to the adjoining lodge house such that it would fit in well with the location.

Therefore, I do not consider that the proposal is in compliance with Policy E4 or the associated SG.

The draft New Development Supplementary Guidance also sets out guidance specifically relating to housing in the green belt. When assessed against this guidance it can be concluded that, the proposal does not require a specific green belt location. It also does not justify the requirement for a residential use outwith the settlement and from the indicative plans it may not integrate or enhance the established character of the area given the size of the building footprint shown.

In view of the above, the proposal is considered contrary to the draft New Development Supplementary Guidance on Housing in the Green Belt.

All developments within the green belt must also be assessed against the SG general Green Belt Development Criteria. In this instance, there will be no loss of prime quality agricultural land. There is no requirement for additional access or traffic infrastructure. It is not anticipated that there will be a significant effect on public water supply or water courses from pollution risk. As no details in relation to the design and scale of the building have been submitted, I am not able to assess whether there would be significant detrimental effect on local landscape character, identified nature conservation interests, access to open space, or existing landscape features. However, it is noted that the indicative footprint of the proposed house is not of a scale that could be considered to be proportionate to the adjoining lodge house such that it would fit in well with the location.

Overall, the proposal does not accord with Policy ENV 1.

With regard to the other planning consents referenced by the applicant, these involve different proposals for different developments with different justifications and have little similarity to the application proposal or the principle of the development proposed.

Having considered the above assessment, it is found that the proposal does not comply with the adopted Renfrewshire Local Development Plan or the draft New Development Supplementary Guidance as it has not been demonstrated that there is a specific locational need for a dwellinghouse in this green belt location and the details provided of the development are such that it is considered that it may have an adverse impact on the character of the area. It is therefore recommended that the application be refused.

Index of Photographs

A site visit has been undertaken on 19 January 2022, and photographs relevant to the application have been archived.

RECOMMENDATION

Refuse

REASONS FOR REFUSAL

1. The proposal is contrary to Policy ENV 1 of the Adopted Renfrewshire Local Development Plan 2021 as the proposal has not demonstrated a need for new housing that is necessary to support an established greenbelt activity and the details provided are such that it may have an adverse impact on the character of the green belt.
2. The proposal is contrary to Policy E4 of the Adopted Renfrewshire Local Development Plan and the draft New Development Supplementary Guidance, Tourism as it has not been demonstrated that there is a specific location need for the dwellinghouse or that the development would strengthen the appeal and attraction of Renfrewshire to a range of visitors. The details provided are such that the scale of the proposal may also not be proportionate or fit in well with the location.
3. The proposal is contrary to the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as the proposal does not require a specific green belt location or justify the requirement for a residential use outwith the settlement and from the details provided does not demonstrate outstanding quality of design of an appropriate scale for its setting such that it would integrate and enhance the established character of the area.

























Sent from my iPhone



















Sent from my iPhone



Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 Fax: 0141 618 7935 Email: dc@renfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100489863-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Permission in Principle for erection of a replacement dwellinghouse and conversion and Change of Use of existing cottage (Class 9) to reception/office (Class 4)

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Graham + Sibbald		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Murray	Building Name:	
Last Name: *	Rankin	Building Number:	233
Telephone Number: *		Address 1 (Street): *	St Vincent Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G2 5QY
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Unit 4
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	22 Churchill Tower
Company/Organisation	R & R Construction (Scotland) Ltd	Address 2:	
Telephone Number: *		Town/City: *	Ayr
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA7 1JT
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

BAROCHAN WEST LODGE

Address 2:

CHAPEL ROAD

Address 3:

HOUSTON

Address 4:

Address 5:

Town/City/Settlement:

JOHNSTONE

Post Code:

PA6 7AX

Please identify/describe the location of the site or sites

Northing

668609

Easting

241140

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

An email was sent to Renfrewshire Council on the 18th May regarding acceptability of erecting a new dwellinghouse and the reuse of the existing West Lodge. Ms Clare Murray responded on 3rd August advising that justification would have to be provided regarding the erection of a house in association with the business at the site. Further queries indicated that unless this could be satisfactorily demonstrated a new house at this location would not be supported at this time.

Title:

Ms

Other title:

First Name:

Clare

Last Name:

Murray

Correspondence Reference
Number:

Date (dd/mm/yyyy):

03/08/2021

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

0.16

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Existing residential property and garden ground associated with this

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- ☐ Yes – connecting to public drainage network
- ☐ No – proposing to make private drainage arrangements
- ☒ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

☒ Yes ☐ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☒ Yes
- ☐ No, using a private water supply
- ☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Murray Rankin

On behalf of: R & R Construction (Scotland) Ltd

Date: 27/10/2021

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☐ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Murray Rankin

Declaration Date: 21/10/2021

Payment Details

Pay Direct

Created: 27/10/2021 10:13

Environment and Infrastructure Roads Development Team	Our Ref: 21/1625/PP
Observations on Planning Application	Planning Contact Case Officer: Clare Murray Tel: [REDACTED] Email: [REDACTED]
	Roads Contact Name Roads Section Email: [REDACTED]

App Ref: 21/1625/PP Date: 24 November 2021 App Rec'd: 27 October 2021

Applicant	R & R Construction (Scotland) Ltd
Proposed Development	Change of use of dwellinghouse (Class 9) to office (Class 4) and erection of dwellinghouse.
Location	Barochan West Lodge Chapel Road Houston Johnstone PA6 7AX
Type of Consent	Planning Permission in Principle

RECOMMENDATION - NO OBJECTIONS / SUBJECT TO CONDITIONS

Proposals Acceptable Y or N	Proposals Acceptable Y or N	Proposals Acceptable Y or N
1. General	3. New Roads	4. Servicing & Car Parking
Provision & links for:-		
Pedestrian *	(a) Widths *	(a) Servicing Arrangements *
Cyclists *	(b) Pedestrian Provision *	(b) Parking Provision *
Public transport *	(c) Layout (Horizontal/Vertical Alignment) *	(c) Layout of Parking Bays/ garages *
Loading *		(d) Drainage
Parking *	(d) Turning facilities (Circles/ Hammerheads) *	
	(e) Junction Details (Locations/ Radii/sightlines) *	
(a) General impact of development *	(f) Provision for P.U. Services *	5. Signing
(b) Safety Audit Required *	(g) SUDS *	(a) Location *
(c) Traffic Impact Analysis *	(h) other	(b) Illumination *
2. Existing Roads		
(a) Pedestrian Provision *		
(b) Type of Connection (Road Junc/Footway Crossing) *		
(c) Locations(s) of Connection(s) *		
(d) Sightlines *		

Comments

The parking spaces serving the office development sit within the visibility splay of the access track. Whilst it is acknowledged the volume and speed of traffic are likely to be low there is a simple solution of setting the spaces further back into the site and outwith the visibility splay.

Conditions

1. The two parking spaces serving the office development shall be relocated to sit outwith the visibility splay of the access track.

Notes for intimation to Applicant

(i) Construction Consent (s21)	NOT REQUIRED
(ii) Road Bond (S17)*	NOT REQUIRED
(iii) Road Openings Permit (s56)*	REQUIRED

Signed  Date30/11/21.....
for Head of Operations & Infrastructure

Robert Devine

From: Clare Murray
Sent: 03 August 2021 18:04
To: [REDACTED]
Subject: RE: Pre-Application Advice - West Lodge, Barochan Estate, Johnston, PA6 7AX

To : Murray Rankin

Thank you for the above enquiry. Firstly, I would apologise for the delay in responding.

I can advise that, as you may be aware, there is a general presumption against new houses in the green belt unless required for the purposes of agriculture, forestry or another green belt use which requires surveillance on site. Notwithstanding that the holiday chalet development has been accepted as an appropriate use in the green belt, it has not been accepted/justified that such a use requires a manager to live on site in a purpose built dwellinghouse. Therefore, you would require to justify the requirement for a new dwellinghouse and why a manager could not be accommodated in an existing dwellinghouse within the surrounding area.

Even in circumstances where a new dwellinghouse was considered justified, permission would not normally be granted until the business were up and running and running successfully for a period of over two years. Temporary accommodation in the form of the siting of a caravan/mobile home, may be given a temporary consent in the meantime.

I hope this information is of assistance.

Thanks

From: [REDACTED]
Sent: 18 May 2021 17:05
To: DC <dc@renfrewshire.gov.uk>
Subject: Pre-Application Advice - West Lodge, Barochan Estate, Johnston, PA6 7AX

Hi Sharon

Thanks, please see below and attached details of a proposal. If you can pass this on to an officer to provide advice that would be greatly appreciated, thanks,

This proposal relates to land in the garden of West Lodge, at the entrance to the Barochan Estate, Chapel Road, Johnstone, PA6 7AX. The existing West Lodge was, until very recently, in use as a residential property. The property is a traditional building with a modern kitchen extension. The building has fallen into some disrepair over the years and features widespread dampness internally. Significant work would be required to bring it back to a usable standard and to be fit for occupation for a new resident. Due to its small size, it is considered unlikely that the house would be suitable for many potential residents, and the current condition is likely off putting to potential buyers as significant investment would be needed to make the house liveable. The landowner, the applicant, is therefore considering an alternative strategy that would retain the building.

The modern kitchen extension to the rear is proposed to be demolished, with the original part of the West Lodge being converted into an office for the holiday lodge development on Barochan Estate which is currently being constructed (consented under application ref: 18/0871/PP). A new single dwellinghouse would be built in the current rear garden of the West Lodge, with the intention being that this would be occupied by the current estate

owner and manager, and therefore be related to the management of the tourist business on the estate. Parking for this house would be taken from an existing access point on the southeast side of the site.

The attached plans show the scale and location of the type of housing unit that is being considered here. The proposal is considered to be the most realistic way of retaining the West Lodge building and ensuring it remains in some form of active use. The applicant would welcome the Council's input on the general proposal and some indication of how it would be assessed by the relevant policies of the Renfrewshire LDP.

Please let me know if you have any questions or require any further details about this.

Kind regards,
Murray

Murray Rankin
Senior Planner

t: [REDACTED] | m: [REDACTED]

Graham + Sibbald

233 St Vincent Street | Glasgow | G2 5QY | [REDACTED] | www.g-s.co.uk

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If our banking or account details change, we will notify these to you by letter or face to face and never by email.

From: DC <dc@renfrewshire.gov.uk>

Sent: 18 May 2021 07:28

To: [REDACTED]
Subject: RE: Pre-Application Advice

Murray,

Please send relevant information for an officer to provide advice, there is no charge for this advice.

Many thanks.

Sharon Marklow
Strategy & Place Manager
Renfrewshire Council
Renfrewshire House
Paisley

From: [REDACTED]
Sent: 17 May 2021 14:57
To: DC <dc@renfrewshire.gov.uk>
Subject: Pre-Application Advice

Good afternoon

I am just looking to confirm what the correct process is for getting pre-application advice on a proposal as I can't see a form or anything on the Council's website? Is it just a case of sending location plan, project details and any other relevant information to this email address? Is there any fee for this?

Kind regards,
Murray

Murray Rankin
Senior Planner

t: [REDACTED] | m: [REDACTED]

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If our banking or account details change, we will notify these to you by letter or face to face and never by email.

Renfrewshire Council Website -<http://www.renfrewshire.gov.uk>

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APPELLANT'S SUBMISSIONS



Renfrewshire Council

Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 Fax: 0141 618 7935 Email: dc@renfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100489863-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Graham + Sibbald		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Murray	Building Name:	
Last Name: *	Rankin	Building Number:	233
Telephone Number: *		Address 1 (Street): *	St Vincent Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G2 5QY
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Unit 4"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="22 Churchill Tower"/>
Company/Organisation	<input type="text" value="R & R Construction (Scotland) Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Ayr"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA7 1JT"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="BAROCHAN WEST LODGE"/>
Address 2:	<input type="text" value="CHAPEL ROAD"/>
Address 3:	<input type="text" value="HOUSTON"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="JOHNSTONE"/>
Post Code:	<input type="text" value="PA6 7AX"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="668609"/>	Easting	<input type="text" value="241140"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of dwellinghouse (in principle)

Type of Application

What type of application did you submit to the planning authority? *

- ☐ Application for planning permission (including householder application but excluding application to work minerals).
- ☒ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to supporting documentation

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Statement of Review - Review Document 1 Planning Application Form - Review Document 02 Supporting Cover Letter (Graham + Sibbald) – Review Document 03 Indicative Layout (Graham + Sibbald) – Review Document 04 Location Plan (Graham + Sibbald) – Review Document 05 Decision Notice – Review Document 06 Report of Handling – Review Document 07

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/1625/PP

What date was the application submitted to the planning authority? *

27/10/2021

What date was the decision issued by the planning authority? *

20/06/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The site is on private estate land, but there are no physical barriers to entry. The applicant/appellant will be happy to permit access should this be requested. This can be arranged through the agent.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Murray Rankin

Declaration Date: 08/08/2022

Statement of Review

Notice of Review to Local Review Body against Refusal of Planning Permission in Principle for Erection of Dwellinghouse (Application ref: 21/1625/PP)

At Barochan West Lodge
Chapel Road
Houston
Johnstone
PA6 7AX

Prepared on behalf of R&R Construction Ltd
Prepared by Graham + Sibbald LLP

Date: 08/08/2022
Our Ref: MR/2021/10/0001



Quality Assurance

This report has been prepared within the quality system operated at
Graham + Sibbald LLP

Created by: Murray Rankin MSc MRTPI

Signature:

05/08/2022

Approved by: Kerri McGuire MRTPI MRICS PIEMA

Signature:

05/08/2022



Contents

Quality Assurance

Executive Summary

1.00	Introduction
2.00	Site Description and Background to Proposal
3.00	Description of Proposed Development
4.00	Determination of Planning Application
5.00	Grounds of Appeal
6.00	Conclusions



Executive Summary

- An application was submitted to Renfrewshire Council in October 2021 for Planning Permission in Principle for the erection of a dwellinghouse in the grounds of the existing West Lodge, Chapel Road, Houston, PA6 7AX.
- The West Lodge building has fallen into a state of disrepair and has failed to attract interest as a viable residential property. A replacement house is proposed in the adjacent grounds that will allow the West Lodge to be retained and reused for a functional purpose as part of the estate businesses.
- The new dwellinghouse is intended to be for the use of a member of staff of the estate, with responsibility for the agricultural business of the estate and the consented and tourist accommodation business (currently under construction) at the site. There is a need for this to be located on site so issues such as surveillance, guest welfare, maintenance, etc can be promptly responded to, and a member of staff can be 'on-call' for these.
- The application was determined several months late, following attempts to contact the planning department that received no response. The application was refused as it was considered not to accord with policies and guidance relating to the green belt, design, tourism, and housing in the countryside.
- This is disputed, as the use of the house would be related explicitly to existing and consented businesses at the estate and is required for surveillance, maintenance, guest welfare, and other such purposes. Some of these purposes have been identified as having a precedent as being accepted reasons for housing in the green belt/countryside in Renfrewshire, which has not been applied to this proposal.
- The application is for Planning Permission in Principle, and so detailed design information is not required to be submitted. The site plan submitted is purely indicative and would be subject to final approval from the Council. Therefore, the proposal cannot be accurately assessed in terms of impact on the character of the surroundings at this stage.
- The proposal is not for tourist accommodation, but has been refused in respect of this policy. The proposal would have some benefits related to the offer of the consented holiday lets development at the site as it would provide accommodation for a staff member to support this, but these considerations have not been given fair weight.
- The proposal has not been given fair assessment in terms of the planning policies and the material considerations in favour of the proposal. Therefore, the planning officer's decision should be overturned and Planning Permission in Principle should be Granted.



1.00 Introduction

- 1.01 This Statement of Review is submitted in support of a Notice of Review in relation to planning application reference 21/1625/PP, which Renfrewshire Council's planning department refused under delegated powers on the 20th of June 2022. This has been prepared and submitted on behalf of R&R Construction (Scotland) Ltd (the Applicant).
- 1.02 The application subject to this review is for Planning Permission in Principle for the erection of a dwellinghouse at West Lodge, Barochan Estate, Chapel Road, Houston, PA6 7AX.
- 1.03 This Statement of Review sets out the background to the proposal and the Planning Officer's reasons for refusal. The Statement also sets out the planning justification to support the Notice of Review against the refusal of the planning application.
- 1.04 This Statement should be read in conjunction with the Notice of Review Form and the documents submitted in support of the Review (outlined in the List of Documents enclosed with this submission).
- 1.05 This Review Statement contains the following sections:
2. Site Description and Background to Proposal
 3. Description of Proposed Development
 4. Determination of Application
 5. Grounds of Review
 6. Conclusions



2.00 Site Description and Background to Proposal

Site Description

- 2.01 The review site comprises the existing building and grounds of the West Lodge; a former gatehouse located at the west access point to the Barochan Estate, around 1.5km north of Houston. The west entrance to the estate is the singular vehicular access to the estate, taking this from Chapel Road which connects to Houston in the south and Greenock Road (A8) to the north. The estate features an operational farm, residences, and a holiday accommodation offer (currently under construction and due to be completed in December 2022).
- 2.02 The site itself features the former gatehouse (West Lodge) on its northern side. The house abounds the access road, with the primary frontage facing onto this. The house is a two-bedroom, single-storey cottage with pitched tile gable-ended roof. It is traditional in appearance but has fallen into a state of disrepair over time. A more-modern extension protrudes from the south elevation of the house, and this faces onto a driveway where car parking for the house is situated. The remainder of the site is made up of garden ground for the house.
- 2.03 The site is located at the edge of the estate grounds. These extend to the north, east, and south, and comprise a mix of woodland, buildings, green space, yards, and fields. To the west the estate ends, and beyond this are agricultural fields, primarily for grazing livestock. The edge of the Applicant's land, and the estate, is delineated by a traditional wall, approximately 4ft in height, though this height may vary along its length due to differences in grade. The wall is in places overgrown with foliage, and on the garden-side of the wall large areas of vegetation and tree cover contribute to this. The combination of this wall and tree-cover effectively screen the garden ground from views into the site from outwith the estate up to a significant height.



Figure 1 - View towards review site from Chapel Road, looking in an easterly direction. The site and estate boundary is visible in the foreground. The existing Lodge can be seen behind trees, but to the right of this the vegetation obscures views onto the site



Figure 2 - View from review site looking towards site/estate boundary, westerly direction. This is the other side of the wall/vegetation shown in Figure 1. The two large coniferous trees seen in Figure 1 are just out of view to the right of this photo (branches of one can just be seen at the side of the photo)



- 2.04 Figures 1 and 2 above show views onto the site from outside the estate and from the estate out of the site, demonstrating that the garden ground is generally well screened from external views.
- 2.05 A search of Historic Environment Scotland's Pastmap service has confirmed that the building on site is not Listed, and there are no other Listed Buildings in close proximity to the site. Similarly, there are no Conservation Areas or other built heritage areas on or within proximity of the site.
- 2.06 There are no natural heritage designations or Tree Preservation Orders on or in proximity of the site. The site is also not regarded to be at any risk of river or surface water flooding, confirmed by online SEPA flood maps.

Background to Proposal

- 2.07 The site is currently owned by the Applicant, and has previously been in use as a private residential property with associated garden ground. This was leased on the open market, and was let to one tenant for a significant amount of time. Following the end of this leasing arrangement, the property was marketed for sale as a residence, but attracted no interest for this use. The applicant purchased the house with a view to potential alternative uses
- 2.08 While this appeal relates to the erection of a new dwellinghouse at the site in-principle, the current condition and situation with regards to the existing house on the site is relevant, as this forms part of the justification for the proposal, and the overall plan and vision for the site.
- 2.09 The house is in a severely dilapidated condition. It features significant areas of damp and timber-rot in the interior. Figures 3, 4 and 5 below show some examples of the internal condition of the house.



Figure 3 - Interior of West Lodge, showing damp in place



Figure 4 – Interior of West Lodge, showing damp and water ingress



Figure 5 - Interior of West Lodge, showing condition of building

Barochan West Lodge, Chapel Road, Houston, PA6 7AX

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- 2.10 A property inspection carried out in December 2020 identified various structural issues such as damp, timber decay, and woodworm infestation. These issues raise significant concerns in terms of both structural and human health hazards to potential occupants, and would require significant cost to resolve.
- 2.11 It is these costs that are considered to have been an obstacle to generating realistic buyer interest in the house when it was marketed for sale. For either the seller or a prospective buyer, to refurbish the house to a liveable condition would be significantly costly and likely to outweigh the price of the property. The house is therefore at something of a financial impasse, and its continued use as a residential unit is considered to be no longer viable.
- 2.12 With this in mind, a solution to unlock the continued use of the site is required, where the residential function of the location can continue in a way that relates it to the overall vision and future of the estate. This strategy is set out in detail in the supporting Cover Letter (Review Document 03), but in summary involves the erection of a replacement dwellinghouse at the site for a member of staff (due to the structural issues with the existing house), and when finances allow (i.e., profits from the tourism business), the West Lodge would be refurbished into a site office and check-in/out reception for the tourism business. In this way, the replacement dwellinghouse is used to facilitate the retention of the existing West Lodge.
- 2.13 It is important to emphasise that the new house subject of this review would explicitly be for the use of an employee of the estate, and would not be for sale on the open market. This aspect can be guaranteed through the implementation of a planning condition. There is an operational requirement for a house for a staff member on site given the nature of the existing and consented uses at the estate. For the reasons stated above, this cannot be provided in the existing house, and therefore a new house is required.
- 2.14 The member of staff living in the proposed house would be required due to the 24-hour nature of the holiday lets business. As guests would be staying here overnight, there may be maintenance issues that would arise, or guest welfare issues to which a staff member would be required to attend, possibly at any hour of the day or night. It is therefore necessary to have a staff member on-site and “on-call”, and the need is clearly related to general site management and surveillance. Additionally, the staff member may also be required to attend to operational matters of the other businesses on the estate, such as the agriculture or forestry business which has been operational at the site for a number of years, or general estate management.



3.00 Description of Proposed Development

3.01 An indicative layout was prepared to support the planning application submission, and provide a demonstration of how a dwellinghouse could theoretically be located and situated on the site. This was submitted with the planning application and is shown in Figure 6 below.



Figure 6 - Indicative Proposed Site Plan

3.02 The above site plan also shows the intended reconfiguration of the existing West Lodge into an office/reception building, and where guests would pull up to check in/out. The modern kitchen extension to the rear was proposed to be removed as part of this. This was also outlined in detail in the covering letter supporting the application.

3.03 The Plan shows where access would be taken to the new house, via an existing access point located to the southeast of the site via a short track extending from the main estate access road to the north. It also shows that large areas of the existing garden ground would be retained, and this could provide requisite garden ground for the new dwellinghouse.



4.00 Determination of Application

4.01 The application was submitted on the 27th October 2021. It was registered as valid on the 11th November 2021 after a brief period of invalidity arising from difficulty identifying the application fee payment once it had been submitted. It was validated under the reference number 21/1625/PP.

4.02 The application submission comprised of the following documents:

- Planning Application Form
- Cover Letter (Graham + Sibbald)
- Location Plan (Graham + Sibbald)
- Existing Site Plan (Graham + Sibbald)
- Proposed Site Layout (Graham + Sibbald)

4.03 A copy of the above application documents are provided as review documentation to support this submission to the Local Review Body.

4.04 There were no objections to the application from any of the Council's internal or external statutory consultees.

4.05 There were also no objections from members of the public.

4.06 The target determination date for the application was the 11th January 2022. On the 7th January 2022, it was attempted to establish contact with the planning department via email to discuss the application and request whether any further details were required and if the application was likely to be determined. No response was received before the determination deadline and no consultation responses from the statutory consultees were available online.

4.07 A further email request to the planning department was made on the 17th January to request a copy of consultation responses and see if there were any issues that required to be addressed. No response was received to this email, and so a further request was sent on the 14th February. A response was received on the 24th February advising that a decision would be issued the following week, but providing no indication of the likely decision outcome or providing copies of any consultee responses.

4.08 No decision was issued, and so a further email to the planning department was sent on the 23rd March, asking for an update on the application. No response was received to this. Further attempts to obtain an update and request for a revised determination date for the application were sent on the 8th April and 25th April. Both of these went unanswered.

4.09 Subsequently, an email was sent to Sharon Marklow, Place Strategy Manager at Renfrewshire Council, on the 3rd May seeking to escalate the case and obtain a decision. At this time the application was almost four months overdue for determination, and it had been over two months since the last response from the planning department. Ms Marklow responded on the same day, advising that she no longer managed the relevant team, but provided contact details for the new team manager, Gwen McCracken.



- 4.10 No contact was received after this, and so an email was sent to Ms McCracken on the 16th May seeking to obtain confirmation of when the application would be determined. This email was also unanswered.
- 4.11 Another email requesting an updated date of determination was sent on the 13th June. A response was received via telephone call from Ms McCracken on the 14th June. This advised that the application was to be recommended for refusal. Ms McCracken offered that the application could be withdrawn prior to this refusal being issued, or it could be determined anyway. On the 16th June, the Applicant confirmed to Ms McCracken that they wished the application to progress to determination.
- 4.12 The decision was formally issued on the 20th June 2022 (7 months after the application was validated). The Decision Notice detailed the following three reasons for Refusal:
1. *The proposal is contrary to Policy ENV 1 of the Adopted Renfrewshire Local Development Plan 2021 as the proposal has not demonstrated a need for new housing that is necessary to support an established green belt activity and the details provided are such that it may have an adverse impact on the character of the green belt*
 2. *The proposal is contrary to Policy E4 of the Adopted Renfrewshire Local Development Plan and the draft New Development Supplementary Guidance, Tourism as it has not been demonstrated that there is a specific location need for the dwellinghouse or that the development would strengthen the appeal and attraction of Renfrewshire to a range of visitors. The details provided are such that the scale of the proposal may also not be proportionate or fit with the location.*
 3. *The proposal is contrary to the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as the proposal does not require a specific green belt location or justify the requirement for a residential use outwith the settlement and from the details provided does not demonstrate outstanding quality of design of an appropriate scale for its setting such that it would integrate and enhance the established character of the area.*



5.00 Grounds of Review

5.01 As detailed in section 4 of this Statement, the planning application on three grounds. Each of these reasons are assessed in turn below. appellant disputes the reasons given for the refusal of the planning application.

5.02 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that applications for planning permission are determined in accordance with the development plan, unless material considerations indicate otherwise.

5.03 The relevant development plan for this site is the Renfrewshire Local Development Plan 2 (LDP2), adopted December 2021. At the time the application was submitted, this Plan was not adopted, and therefore the proposal was assessed against the policies of the previous plan, the Renfrewshire Local Development Plan 2014, in the supporting cover letter. A detailed policy assessment relating to this plan and review of material considerations was contained in the Cover Letter submitted in support of the application (Review Document 03). However, it is noted that the development allocation of the site is unchanged between the 2014 and 2021 LDPs, and the relevant policies are broadly similar in intent. Notwithstanding this, this Notice of Review Statement will consider the proposal against the relevant policies of the LDP2 (2021) as per the Decision Notice in the interests of completeness.

Reason for Refusal 1

5.04 Policy ENV1 of the Renfrewshire Local Development Plan 2 relates to the green belt. It sets out the importance of the green belt in Renfrewshire and establishes the circumstances where development in the green belt will be considered appropriate in principle. This will either be where a housing land shortfall is identified, or where it is in support of one of a number of uses. As relevant to this proposal, these uses are:

- *Agriculture, woodlands and forestry, and horticulture; ...*
- *A tourism related development acceptable under Policy E4;*
- *New housing to support an established green belt activity;*
- *Replacement dwellings;*

5.05 Reason 1 for Refusal states that the proposal is contrary to this Policy as *“the proposal has not demonstrated a need for new housing that is necessary to support an established green belt activity and the details provided are such that it may have an adverse impact on the character of the green belt”*. This is disputed by the Appellant.

5.06 As set out in the cover letter submitted in support of the application (Review Document 03), the dwellinghouse would be for the exclusive use of a member of staff of the estate. Their duties will be related to the various uses on the estate, including the agricultural business, the holiday lets business, and general estate management. These uses are considered to require an on-site member of staff due to their potential to require attention at varying times of day or night, for example general surveillance, maintenance, or guest welfare issues in the holiday lets business, or animal welfare issues in the agricultural business. These are both established green belt activities.



- 5.07 The holiday lets business has previously been assessed against the relevant tourism policy in force at that time and found to be acceptable. This was granted planning consent in December 2017 (ref: 17/0664/PP), and the development is now under construction.
- 5.08 Each planning application should be determined on its own merit, however it is noted that Renfrewshire Council has previously supported housing in the green belt where the housing relates to established green belt activity. These examples are referenced in the “Relevant Planning History” section of the cover letter submitted in support of the application (Review Document 03). Specifically, attention is drawn to application ref: 18/0020/PP which permitted erection of a new dwellinghouse due to a need to provide surveillance and be on-site for animal welfare reasons. Consent was Granted for this in June 2018. These are similar reasons for which a dwellinghouse is sought at the site subject to this Review.
- 5.09 The supporting cover letter went into detail on the type of activities that the staff member accommodated in the house would undertake, and the need for this dwellinghouse. It is therefore incorrect that this “has not been demonstrated”.
- 5.10 The proposed dwellinghouse will be a replacement dwelling for the existing West Lodge on the site. The need for this to be replaced has been set out in detail in both this Statement of Review and the covering letter previously submitted with the initial application. It is therefore regarded to have been sufficiently demonstrated that the proposed dwellinghouse has both a clear need and is compliant with Policy ENV1.
- 5.11 Reason 1 also states that “*the details provided are such that it may have an adverse impact on the character of the green belt*”. The application was for Planning Permission in Principle, so details on the design, layout, materials, and general appearance of the house were not submitted. It is therefore unclear how the proposed dwellinghouse can be considered to have an “adverse impact” on the character of the green belt as there is insufficient information at this stage to make this judgement.
- 5.12 For the reasons given above, Reason 1 for Refusal is not considered to be valid or applicable.
- Reason for Refusal 2**
- 5.13 The second reason for Refusal states that the proposal is considered to be contrary to Policy E4, and the draft New Development Supplementary Guidance. The reason given is that “*it has not been demonstrated that there is a specific location [sic] need for the dwellinghouse or that the development would strengthen the appeal and attraction of Renfrewshire to a range of visitors*”.
- 5.14 Policy E4: Tourism, states that: “*proposals for sustainable tourism development including new or expanded tourism-related facilities will be supported where it can be demonstrated that:*
- *The proposed development is capable of strengthening the appeal and attraction of Renfrewshire to a range of visitors;*
 - *The siting, scale and layout of the proposal is proportionate, complements the landscape character and setting, and would be compatible with neighbouring land uses;*



- *The development will complement existing/proposed tourist facilities in that area;*
- *Additional visitors that may be attracted to the area can be accommodated by existing infrastructure or improvements to facilities; and,*
- *The development can demonstrate a site-specific locational need."*

- 5.15 The application is for a dwellinghouse and not a 'tourism development' under Policy E4. The proposed dwellinghouse will house a member of staff of the estate whose responsibilities and activities, among others, will relate to the consented tourism business on the estate, this is not regarded to make the proposed dwellinghouse a "tourism development".
- 5.16 Although the proposal is not a tourism development, it does accord with the general principles of the policy in that the proposed dwellinghouse will supplement and enhance the quality of the tourism offer at the estate, by providing a dedicated on-site member of staff who will have responsibility for providing surveillance and security at the site, and tending to maintenance and guest welfare issues. This will raise the quality of the tourism offer at the location, which will in-turn attract visitors to the area and strengthen the appeal of Renfrewshire as a destination.
- 5.17 By providing accommodation for a member of staff to improve the running and management of the estate, the proposed dwellinghouse will complement the consented tourism development.
- 5.18 Reason 2 also references the draft New Development Supplementary Guidance, specifically the section on Tourism. This section states that "*new development proposals require to:*
- *Add to the appeal and attraction of Renfrewshire as a visitor destination and contribute to the local economy providing new employment opportunities with a social and/or cultural benefit to the area;*
 - *Complement existing/proposed tourist facilities in the area;*
 - *Not result in significant detrimental impacts on visual amenity, the built heritage or natural heritage interests;*
 - *Be of a design, quality and density which is appropriate for the location and surrounding area and would be compatible with neighbouring land uses;*
 - *Consider opportunities to encourage participation and enjoyment of Renfrewshire's natural heritage assets, ensuring that there are no significant adverse effects on the natural environment including biodiversity and landscape character;*
 - *Demonstrate that suitable infrastructure and services are available or can be provided to serve the development proposal;*
 - *Demonstrate that the site is accessible by a choice of transport options and access within and out with the development connects to active travel routes and/or the wider green network;*
 - *Demonstrate that the road and/or rail network can accommodate the development;*
 - *Demonstrate a site-specific locational need and/or address a deficit in the provision of tourist facilities in the area; and,*
 - *Incorporate a design which promotes energy efficiency and the use of low carbon generating technologies.*



5.19 As detailed above, the planning application is for a dwellinghouse and not a tourism development. It is accepted that as the proposed dwellinghouse will complement the consented tourism business at the site.

5.20 The locational need for this arises from the need to have a member of staff situated on site for surveillance purposes related to the tourism business as well as other agricultural businesses on site. The staff member would be an employee of the estate generally. The need for this to be provided in a new-build dwellinghouse has been established earlier in this Statement. The locational need for a dwellinghouse to provide staff accommodation is justified under the relevant policy; ENV1.

5.21 The above is therefore regarded to demonstrate that Reason 2 for Refusal is not valid as the application is for a dwellinghouse and not tourist accommodation.

Reason for Refusal 3

5.22 Finally, the third reason for Refusal states that the proposal is contrary to the New Development Supplementary Guidance sections on Green Belt Development Criteria, and Housing in the Green Belt.

5.23 The first of these, Green Belt Development Criteria supplements Policy ENV1. Where it is identified that a use is acceptable, the Criteria establishes the guidance against which development in the green belt will be assessed. The proposal was assessed against most of these criteria in the supporting cover letter, though there are some differences as the assessment in the cover letter was against the criteria in the previous Supplementary Guidance. For completeness, a new response is offered to each of these in the below table:

Green Belt Development Criteria	Response
<i>There will be no loss of prime quality agricultural land or agricultural land of lesser quality that is locally important in line with Scottish Government Policy</i>	The site is not agricultural land or land that is locally important. The land is currently garden ground associated with the West Lodge
<i>Any adverse impacts on the qualities of wild land are overcome by siting, design or other mitigation</i>	The proposal does not affect wild land, directly or indirectly
<i>Traffic and access infrastructure can be sensitively accommodated</i>	The proposal site has existing access and the surrounding transport network can accommodate this small scale of development
<i>No significant effects on public water supply and water environment from any pollution risk</i>	The proposal is not considered to have the potential to impact the public water supply or water environment
<i>The development links to the existing green network and active travel routes or provides new enhanced routes, where appropriate</i>	The proposal will retain existing natural assets as much as possible, but the development site is not large enough to provide new active travel routes



<i>Proposals to protect and provide access to open space have been incorporated</i>	There is no designated open space affected by this proposal. The development site relates to private garden ground in the ownership of the applicant
<i>Development will not have a significant detrimental impact on the local landscape character. Development layout, design and siting must reflect local landscape character and respect and incorporate important landscape features such as traditional field enclosures, water courses, woodlands and skyline</i>	Detail of layout and design will be provided as part of a further detailed planning application. As demonstrated earlier, the application site is well screened from outside the estate, so will not have any impact on the wider landscape character in the area
<i>It can be demonstrated that there is careful consideration of the siting, design, scale and grouping of any buildings and infrastructure</i>	The proposed house is well-located in the garden ground of the existing West Lodge. It is largely screened from view from outwith the estate. Though the exact siting is still indicative at this in-principle application stage, it has been shown in the proposed site plan that the proposed house would have a proximal relationship with the existing West Lodge, and form part of a building group here
<i>Appropriate landscaping proposals have been incorporated including the provision of well designed boundary treatment</i>	The proposed dwellinghouse would retain and utilise existing boundary treatments to maintain privacy and delineation of property lines. These would also mitigate the visual impact of the house on the surrounding environment
<i>There are adequate services available for the development, or this can be provided</i>	As the site has previously accommodated a residential development, it is regarded that appropriate servicing is already in place or can be provided
<i>There is no significant detrimental effect on identified nature conservation interests, including species and habitats; and,</i>	There are no identified nature conservation interests in the vicinity of the site, including protected species or habitats. If any trees were to be removed for the house's construction, a Bat Survey would be carried out. This can be enforced by planning condition, but does not preclude development from taking place
<i>All buildings for conversion are to be structurally sound and capable of conversion without substantial rebuilding</i>	Though not formally part of this Review, the eventual conversion of the West Lodge building which forms part of the overall strategy of the site will be done with the structural soundness of the building in mind. It is currently in a dilapidated state that is regarded to be harmful to the building's structural integrity

5.24

Reason for Refusal 3 does not state which part of the Green Belt Development Criteria the proposal is regarded to be contrary to, but the above is regarded to



demonstrate that the proposed dwellinghouse in fact accords with all parts of the criteria.

5.25

Furthermore, Reason 3 states the proposal is contrary to the Housing in the Green Belt section. This section states that where the principle of a house in the green belt is considered acceptable under Policy ENV1, the criteria will apply. These criteria, and a response to each point is set out in the table below:

Housing in the Green Belt Criteria	Response
<i>The development is required to maintain and support an established activity that is suitable in the green belt and is ancillary and within the boundary of the established use</i>	The proposal is related to the established and consented business uses at the estate. The need for this has been discussed previously and is regarded to have been demonstrated. The proposal site is within the boundary of the estate
<i>It is demonstrated that there is a need for the residential use to be located out with the settlement</i>	The need for the residential property is related to the businesses at the site, and there is a need for this to be on site to enable the staff member to respond to potential issues that may arise at any time of the day or night. As the site is outwith the settlement, it accords that the proposed residence must also be located outwith the settlement
<i>Buildings which have special architectural, traditional or historic character which contribute to the setting of the area may be converted or re-used for residential where it can be demonstrated that it is no longer suitable for the purpose originally intended, with the original building forming the main part of the development</i>	The proposed house will be a new-build, but as stated previously it is part of the wider strategy to retain the existing West Lodge on the site. This is currently in disrepair, and at risk of further deterioration. The erection of this dwellinghouse is intended as enabling development to allow the West Lodge to be retained and refurbished for an alternative use
<i>The proposal demonstrates outstanding quality of design, is of an appropriate scale within its setting and makes a positive contribution to the site and surrounding area</i>	The design of the house will be confirmed as part of a further detailed application at a later date. There is not considered to be any reason that a high quality of design of appropriate scale could not be accommodated at the site
<i>The proposal integrates with, complements and enhances the established character of the area and has no significant detrimental impact on the landscape character; and</i>	As discussed, the proposed site of the house is well screened from views from outside the estate. This is considered to minimise the visual impact of the house. A design solution can be delivered that complements the character of the area through the use of sensitive and complementary materials and colours
<i>Replacement dwellings must reflect the specific character of the location, fit well with the</i>	The proposed house would be a replacement dwelling. As discussed above, a high-quality design solution using appropriate materials,



<i>surrounding landscape and achieve a high design standard and environmental quality. Replacement dwelling(s) require to be of a similar scale, character and massing to other residential units in the surrounding area</i>	colours, design form, and scale can be delivered on the site that will retain the character of the area and not diminish the landscape of the green belt
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5.26

Reason 3 for Refusal does not state which part of the Housing in the Green Belt section the proposal is considered to be contrary to. However, the above demonstrates that the proposal is in fact in compliance with all criteria of this section. Therefore, Reason 3 is not regarded to be a valid reason for Refusal.



6.00 Summary + Conclusions

- 6.01 This Statement of Review is submitted in support of a Notice of Review against the refusal of planning application 21/1625/PP for Planning Permission in Principle for the erection of a dwellinghouse at Barochan West Lodge, Chapel Road, Houston, PA6 7AX.
- 6.02 The dwellinghouse has been justified in detail in respect of the need for it to be located at this site, as it will relate to a business at the estate. The house will accommodate a member of staff who is required on site to provide surveillance, oversee guest welfare at the holiday lets business, respond to maintenance issues, and will also be involved with other duties around the estate.
- 6.03 The relevant policies of the Renfrewshire Local Development Plan, and associated Supplementary Guidance, explicitly permit the provision of a dwellinghouse in such circumstances. The Council has not provided justification in their Reasons for Refusal as to why the proposed house does not accord with these policies and, contrary to the Reasons given, it is regarded that the proposal has been demonstrated to be in compliance with the relevant policy provisions.
- 6.04 This proposal is for Planning Permission in-Principle. Therefore, only high-level indications of siting, layout, orientation, and other design principles of the dwellinghouse have been provided. Nonetheless, these are not representative of a finalised design solution and are intended only as an indication of how a house could fit on the site. Final details over the placement, design, layout, scale, materials, etc of the dwellinghouse would be provided at a detailed application stage.
- 6.05 Despite not having been provided with these details, the Council appears to have based its decision in large part on these matters, and have decided that the proposal “does not demonstrate outstanding quality of design”, and would “have an adverse impact on the character of the green belt”. The provision of such details can be controlled by appropriate condition and is not a reason for Refusal in itself. Should planning consent be granted, this level of detail would be provided at the Approval of Matters Specified in Conditions stage.
- 6.06 The proposed dwellinghouse would enhance the quality of the consented tourism business at the site, and also provide an on-site member of staff associated with the existing and established businesses on the estate. The development can be considered a replacement dwelling as the existing house on the site has fallen into a state of disrepair.
- 6.07 It is considered that there is a locational need for the proposed dwellinghouse to provide staff accommodation to support the existing agricultural business and consented lodge development. The applicant has demonstrated that the proposed development accords with the relevant policies relating to housing within the Green Belt. It is therefore respectfully requested that the Refusal is overtured and Planning Permission in-principle is Granted.
- 6.08 Should you have any queries in relation to this Review, please do not hesitate to contact Murray Rankin, Senior Planner, in the Planning and Development team at Graham + Sibbald on [REDACTED]



**Renfrewshire
Council**

Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 Fax: 0141 618 7935 Email: dc@renfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100489863-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Permission in Principle for erection of a replacement dwellinghouse and conversion and Change of Use of existing cottage (Class 9) to reception/office (Class 4)

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Graham + Sibbald		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Murray	Building Name:	
Last Name: *	Rankin	Building Number:	233
Telephone Number: *		Address 1 (Street): *	St Vincent Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G2 5QY
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Unit 4
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	22 Churchill Tower
Company/Organisation	R & R Construction (Scotland) Ltd	Address 2:	
Telephone Number: *		Town/City: *	Ayr
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA7 1JT
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

BAROCHAN WEST LODGE

Address 2:

CHAPEL ROAD

Address 3:

HOUSTON

Address 4:

Address 5:

Town/City/Settlement:

JOHNSTONE

Post Code:

PA6 7AX

Please identify/describe the location of the site or sites

Northing

668609

Easting

241140

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

An email was sent to Renfrewshire Council on the 18th May regarding acceptability of erecting a new dwellinghouse and the reuse of the existing West Lodge. Ms Clare Murray responded on 3rd August advising that justification would have to be provided regarding the erection of a house in association with the business at the site. Following further queries raised with Ms Murray, it was advised that the opinion was that there was no justification for a new house in this instance in this location.

Title:

Ms

Other title:

First Name:

Clare

Last Name:

Murray

Correspondence Reference
Number:

Date (dd/mm/yyyy):

03/08/2021

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

0.16

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Existing residential property and garden ground associated with this

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- ☒ Yes – connecting to public drainage network
☐ No – proposing to make private drainage arrangements
☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

☒ Yes ☐ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☒ Yes
☐ No, using a private water supply
☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Murray Rankin

On behalf of: R & R Construction (Scotland) Ltd

Date: 21/10/2021

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
☐ Elevations.
☐ Floor plans.
☐ Cross sections.
☐ Roof plan.
☐ Master Plan/Framework Plan.
☐ Landscape plan.
☐ Photographs and/or photomontages.
☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Murray Rankin

Declaration Date: 21/10/2021

Payment Details

Online payment:

Payment date:

Created: 22/10/2021 16:14

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Our Ref: MR/2021/01/0001

For a full list of Partners
visit our website.

Date: 27/10/2021

www.g-s.co.uk

Dear Sir/Madam

Planning Application for Permission in Principle for erection of a replacement dwellinghouse and conversion and Change of Use of existing cottage (Class 9) to reception/office (Class 4) at West Lodge, Barochan Estate, Chapel Road, Houston, PA6 7AZ

Please find enclosed a planning application for the above proposal on behalf of our client R + R Construction (Scotland) Ltd (the applicant).

The application comprises the following documents:

- Planning Application Form and Ownership Certificate
- Location Plan
- Existing Site Plan
- Indicative Proposed Site Plan
- Planning Application Fee of £802.00

This letter provides a description of the proposed development and an assessment of the planning policy requirements of relevance to the application.

Site Description & Background

The site is located on Barochan Estate, located approximately 1.5km north of Houston. The application site is situated at the western entrance to the estate, and comprises of the estate gate house, known as West Lodge, and its associated driveway and garden grounds. The site is located at the corner of Chapel Road and Corsiehill Road, where these provide vehicle access to Barochan Estate which lies to the east of the site.

The site extends to approximately 0.16ha, comprised predominantly of the garden ground of the gate house. The gate house itself consists of a two-bedroom single storey cottage with pitched tile gable-ended roof and a non-original kitchen extension to the rear. West Lodge is not Listed and is not located within a Conservation Area.

The building is in a severely dilapidated condition and features significant areas of damp and timber-rot in the interior. The condition of the building poses a structural and health hazard to potential occupants due to the extent of the moisture ingress and the damage it has caused to the building's structure. While it remains reasonably presentable from the exterior, inside the building is not fit for habitation in its current form. A property inspection carried out in December 2020 identified damp,



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Chartered Surveyors
A Quality Assured Firm



timber decay, and woodworm infestation, and that significant expenditure would be required to correct these.

West Lodge was previously marketed for sale as a residence, but attracted no interest, believed to be a result of the condition of the house and the considerable amount of money that would be required to refurbish it to a liveable condition. The house is considered to no longer be fit for habitation due to its size and structural deficiencies.

The house is currently in a financial impasse in which the amount required to restore it to a liveable condition so that it can be sold as-ready to inhabit on does not justify the expenditure. Likewise, a buyer cannot be found for the house in its current condition willing to invest the sums required to restore it to a liveable residence. Therefore, the applicant (the owner of the house) considers that the use of the property as a residential unit is no longer viable, and therefore an alternative use of the building is sought.

Proposed Development

The gate house is to be retained and refurbished for use as an office/reception associated with the holiday lets business on the estate. This will allow the cost of refurbishing the house to be offset against the profits of the business for which it will form a part, meaning over the long term the works will be financially justified. The gate house will fulfil a function as an active part of this rural tourist business, where guests entering the estate by car will park at the gate house and check in with the office and receive information about the site, before being shown to their rental property. The estate is part of an active farmyard, so it is considered that an office at the entrance is an operational requirement of the business so that guests can receive safety information and a brief orientation before physically proceeding further onto the estate. The West Lodge gate house is a natural choice of building to fulfil this function as it is present immediately on the access road and is encountered by all visitors entering and leaving the site.

Additionally, a new replacement house is to be formed in what will then be the former garden ground of the West Lodge. This house will be strictly for the use of an employee of the business located on the estate and is not for market sale. This can be enforced by planning condition if Renfrewshire Council sees fit. There is an operational requirement for an employee to live on-site due to the 24-hour nature of the holiday lets business, where guests may be arriving or departing at various times throughout the day, and maintenance or medical issues could arise at any time of day or night.

The holiday lets business is part of a diversification strategy of the existing rural business at Barochan Estate, known as Barochan Farm. Currently, Barochan Farm comprises an agriculture and forestry business that operates from the estate. The holiday lets currently under construction and consented in November 2019 under application reference 18/0871/PP will be another component of this business. The resident of the proposed dwellinghouse will be primarily involved with the holiday lets element of the business, but is likely to also be involved with other aspects of this established business at Barochan Estate, for example the agricultural business or general estate management.

This application is for Planning Permission in Principle, so the detail of the design of the house will be forthcoming at detailed application stage. For the time-being, an indicative site plan is included in this application to demonstrate how the site can accommodate a new dwellinghouse, and the proposed location of this within the application site.



Relevant Planning History

A search has been undertaken on Renfrewshire Council's online planning portal to identify planning applications of relevance at the application site and in the surrounding area. It should be noted that a formal planning history search has not been requested from Renfrewshire Council. The following applications of relevance have been identified.

Application reference 17/0664/PP was submitted in September 2017 for planning permission in principle for a tourism chalet development on land at Barochan Estate. This site is located approximately 200m east of West Lodge, elsewhere on the grounds of Barochan Estate. Permission was granted for this in December 2017. This application preceded the detailed application for five chalets referenced above (ref: 18/0871/PP), which was submitted in December 2018 and granted consent in November 2019.

These applications set the approval for the formation of the five chalets that form the accommodation for the holiday let component of the Barochan Farm business. They demonstrate that the Council is open to the expansion and diversification of an existing rural business in this location.

Application reference 18/0072/PP was submitted in January 2018 for planning permission in principle for the demolition of redundant farm buildings, and conversion of existing farm steading buildings to form seven dwellinghouses, at Chapel Farm approximately 340m south of the development site. This application was permitted in May 2018. It was followed by a detailed planning application submitted in March 2019 which increased the number of dwellinghouses to 10 (ref: 19/0051/PP). This detailed application was Granted in May 2019.

These applications were permitted as, although they were in the Green Belt, they were for the re-use of historic buildings and their conversion to residential use was considered to be an acceptable new use for them. The Report of Handling for application 18/0072/PP notes that the proposals *"would bring back into use a vacant traditional farm building of notable character which otherwise runs the risk of falling into further disrepair"*.

These applications are primarily considered to be acceptable as they are for the conversion of existing buildings within the Green Belt, as set out in the Green Belt section of the New Development Supplementary Guidance of the Renfrewshire Local Development Plan. It is noted that the number of residential units increased from 7 in the approved in-principle application to 10 in the approved detailed application. This increase in units primarily comes from an increase in the size of the extension of these existing farm buildings.

Though the exact relationship of the proposed development to the original farm site layout is unclear from the plans available to view on the Renfrewshire Council Planning Portal for application 19/0051/PP, the plans for the originally approved development consented under application 18/0072/PP are available to view and it appears that some of the newly formed residential units exist almost entirely within the footprints of the new-build extensions from the historic buildings. Specifically, Plots 1, 5, 7, and 8, shown in the approved Site Plan (drawing no. 4) of application 18/0072/PP, bear only a fleeting relationship to the footprint of the previous structures on the site, and in the cases of the latter two plots, these appear to share only one or two external walls with these previous structures, with the entirety of these dwellinghouse footprints being new-build.



Notwithstanding this, the New Development Supplementary Guidance section on development in the Green Belt only permits extensions where it relates to “existing residential units”, or an industrial business premises. As this could not have applied to the proposed development, as these were derelict farm buildings at the time the application was permitted (as stated in the Report of Handling), in granting the in-principle consent 18/0072/PP Renfrewshire Council has demonstrated that new residential units are acceptable in the Green Belt, even where these exist entirely within the footprint of a new build structure. In the instance of 18/0072/PP this takes the form of an extension, but there is considered to be no requirement for this to be the case, as there is no policy provision that permits new extensions to non-residential units to form new residential properties. Therefore, a precedent has been set for new residential units to be formed in new-build structures in the Green Belt. This precedent is an important material consideration for determining applications for new-build residential properties in the Green Belt.

Also of relevance to this application are two further examples of residential development in the Renfrewshire Council area.

Firstly, attention is drawn to application reference 14/0237/PP for the *“erection of two dwellinghouses, three detached garages, 1.5 storey extension to side of dwellinghouse, formation of dormer windows to side and rear of dwellinghouse, external alterations to dwellinghouse, and alterations to ground levels”* at Yardfoot Farm, Netherhosues Road, Lochwinnoch. This application was approved in August 2014.

This application involves the erection of two dwellinghouses in the Green Belt. Although this application was determined under a previous Local Development Plan, and therefore a different planning policy context, it sets a precedent for residential development being acceptable in the defined Green Belt.

The Report of Handling describes the assessment of this application. At the time, residential development in the Green Belt was restricted to circumstances where it was associated with the operational requirements of an appropriate business in the Green Belt. The development subject of application 14/0237/PP did not accord with this, and was therefore contrary to the relevant policy.

However, the development was subsequently assessed against an additional set of criteria. This considered the proposal in terms of impact on a variety of criteria, as well as the specific need for the development to have a Green Belt location. While the development was generally positively assessed against the criteria, the Report of Handling acknowledged that there was not a specific need for the proposed dwellinghouses to be located within the Green Belt. In spite of this, Renfrewshire Council granted consent for the proposal.

Application 14/0237/PP sets a precedent for the Council to find residential development in the Green Belt acceptable, even where there is no specific requirement for it to be sited there. In this instance, despite the principle not being accepted, the development was considered to accord with the other relevant criteria. As a relevant aside, notwithstanding that this Policy is no longer in force, it is considered that if the development subject of this application was assessed against this same standard it would comply with all relevant criteria, as well as having a demonstrable requirement to be located in the Green Belt.

The second of these is application reference 18/0020/PP. This application was for the *“upgrading of stables complex to form new equestrian facilities, including erection of dwellinghouse, stables,*



storage sheds, and upgrading of access”, at Auchengrange, Belltrees Road, Lochwinnoch. This application was approved in July 2018.

This application is notable as it includes the erection of a dwellinghouse within the Green Belt. In this instance, the dwellinghouse was proposed to house a member of staff associated with the running of the stables complex, and justification was given that this was required to support and maintain the stables.

This argument was accepted by the Council. The Report of Handling for this application states that “it has been demonstrated that there is an essential need for someone to remain on site and ... the level of surveillance and presence required could not adequately be achieved with the manager residing outwith the stable complex”. This was partly for animal welfare reasons. This demonstrates the acceptability of new housing in the Green Belt where it is associated with surveillance and supervision of an accepted business.

This principle is considered to also be applicable to the proposed development subject of this application, as there is an operational requirement for a residence at this location that will be associated with the surveillance and supervision of the established business. Notwithstanding that there is a tourist accommodation business that is currently under construction, and that the proposed house would be associated with, the resident of the house would be an employee of the estate and their responsibilities would extend to the agricultural business already present at Barochan Estate. These would include responsibility for animal welfare, as is the case demonstrated by application 18/0020/PP.

Furthermore, application 18/0020/PP demonstrates that the upgrading/refurbishment of an existing building is acceptable where it is in association with an appropriate Green Belt business. This is considered to set the precedent that the Change of Use and refurbishment of the existing West Lodge would be acceptable as it is required not only to bring this building back into a usable condition, but also will serve a functional purpose related to the approved business activity at Barochan Estate.

Planning Policy Assessment

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of this application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan for the application site is the Renfrewshire Local Development Plan which was adopted in August 2014.

In this plan, the application site is identified as being located within the Green Belt, and is therefore subject to **Policy ENV1**. This Policy states that:

“The green belt in Renfrewshire aims to identify appropriate locations to support planned growth, where required, as well as maintaining the identity of settlements, protecting and enhancing the landscape setting of an area and protecting and promoting access opportunities to open space. Appropriate development within the green belt will be considered acceptable where it can be demonstrated that it is compatible with the provisions of the New Development SG. Support will be given to developments that are able to demonstrate diversification within green belt and rural areas which promote new employment opportunities and /or community benefits.”



The terms of Policy ENV1 defer much of the assessment criteria for development in the Green Belt to the New Development Supplementary Guidance. It states that “appropriate development” will be accepted where it accords with this, and that support will be given where development promotes employment opportunities and/or community benefits.

The proposed development will support the diversification of a rural business at the Barochan Estate, as it will be for the use of staff associated with the management and running of this business. Previous consent has been granted for the erection of five holiday lets at the estate, and it is considered that there is an operational requirement for a member of staff to be situated on-site due to the 24-hour nature of running a tourist accommodation development. The member of staff is also expected to be required in respect of the other functions of the Barochan Farm business, which has been established at the Barochan Estate for 20 years, such as the agricultural business or general management of the estate.

Compliance with Policy ENV1 will be determined by assessment against the **New Development Supplementary Guidance**. The relevant section of this guidance to development in the Green Belt is on page 36. Acceptable forms of development in the Green Belt are listed in this guidance, and states that development will generally be “*considered appropriate in principle where it is for the purposes of or is in support of the following uses*”. The guidance then lists uses where development will be considered appropriate if it is for, or in support of, one of these uses. This includes “agriculture, horticulture, forestry, woodlands, or an established business”.

As stated in the Proposed Development section of this statement, the proposed dwellinghouse will be for the exclusive use of a member of staff to support the operation of the Barochan Farm business. This includes the established agriculture and forestry business on site, as well as the holiday let component of this newly diversified business. The occupancy of this house can be controlled by condition to be for the exclusive use of staff working with this established business, and is not for market sale. Additionally, the conversion and Change of Use of the existing West Lodge building to be used as a reception and office for the holiday lets will support this element of the Barochan Farm business. The proposal is therefore considered to accord with this section of the New Development Supplementary Guidance as it is for development that will support an established business by providing on-site accommodation for management staff.

There are considered to be two further justifications for the principle of this development at this location within the Green Belt. Firstly, there is a precedent for residential use on this site. This has previously been provided by the West Lodge gate house. However, as discussed in the Proposed Development section, there are a number of structural issues with the existing house, and it is currently financially unviable to refurbish it for use as a residential property, due to the limited size and cost of refurbishing it compared with the value it would raise at sale. Therefore, it is proposed to use this building as an office and reception associated with the holiday let business to allow the cost of refurbishing it for this purpose to be offset against future profits of the business. The proposed dwellinghouse to the rear of this will be a replacement dwelling that retains the residential function at this location, with the key caveat that the house will not be for open market sale/rental, and will be for the exclusive use of an employee of the established Barochan Farm business.

Secondly, the proposal seeks to utilise the precedent established in application 18/0072/PP discussed in the Planning History section above. This precedent permits the formation of new residential dwellinghouses within an entirely new-build footprint in the Green Belt. However, unlike



application 18/0072/PP, this proposal seeks to only form one new dwellinghouse and it will not be for open market sale or rent.

The guidance on page 36 goes on list further criteria that all new development in the Green Belt should adhere to. These criteria are listed below and a response is provided to each one in turn.

- *There should be no loss of prime quality agricultural land or land of lesser quality that is locally important in line with SPP;*
 - The development site does not consist of agricultural land or locally important land, the site is currently garden ground associated with the West Lodge
- *Traffic and access infrastructure can be sensitively accommodated;*
 - It is not considered that there would be any increase in traffic on existing levels as a result of the proposal. There is existing access available for the site
- *There will be no significant effects on public water supply and water courses from any pollution risk;*
 - The proposed development is not of a nature that would create water pollution
- *The local landscape character will be maintained and enhanced;*
 - The proposed development will not have a negative impact on the local landscape character. Furthermore, it is considered that a design can be incorporated at this location that will enhance the local landscape
- *Appropriate proposals to protect and provide access to open space have been incorporated;*
 - No open space would be lost as a result of this proposal, and existing access to open space would be retained
- *Development layout, design and siting should respect and incorporate important landscape features such as traditional field enclosures, water courses and features, woodlands and skylines;*
 - This will be a matter for a detailed planning application, but it is considered that a locally sensitive design can be situated on the site that will enable the incorporation of the features listed above
- *It can be demonstrated that there is careful consideration of the design, scale and grouping of any buildings;*
 - As above, this will be a matter for a detailed planning application, but there is not considered to be any reason this could not be accommodated on the site
- *Appropriate landscaping proposals have been incorporated;*
 - Landscaping proposals will be part of a detailed planning application submission
- *There are adequate services available for the development;*
 - As there has previously been a dwellinghouse located at this site, it is regarded that all appropriate servicing is already located in the vicinity of the site
- *There is no significant detrimental effect on identified nature conservation interests, including species and habitats;*
 - There are no sites of natural conservation on or around the application site
- *All buildings for conversion are to be structurally sound and capable of conversion without substantial rebuilding*
 - The conversion of the existing West Lodge building will be done with the structural soundness of the building in mind, as it is currently in a deteriorated state.

The subsequent section of the New Development Supplementary Guidance relates to Housing in the Green Belt. This section states that “Proposals for development of residential use in the green belt



may only be permitted where it can be demonstrated to the satisfaction of the Council that the development is justified against the majority of the following criteria:

- The development is required to maintain and support an established activity that is suitable in the green belt which is ancillary to the established use and is within the boundary of that activity;
- It is demonstrated that there is a need for the residential use to be located out with the settlement;
- Buildings which have special architectural, traditional or historic character which contribute to the setting of the area may be converted or re-used for residential where it can be demonstrated that it is no longer suitable for the purpose originally intended, with the original building forming the main part of the development;
- The proposal demonstrates outstanding quality of design, is of an appropriate scale within its setting and makes a positive contribution to the surrounding area;
- The proposal integrates with, complements and enhances the established character of the area and has no significant impact on the landscape character.

Replacement dwellings should respond to the specific character of the location, fit well with the surrounding landscape and achieve a high design standard and environmental quality. The replacement dwelling(s) should be of a similar scale, character and massing to other residential units in the surrounding area."

In respect of these criteria, it has been demonstrated in this statement that there is an operational requirement for a house on the site that accommodates a member of staff that will work with the established Barochan Farm business. While this will be related to the holiday lets business on the site, it will also be related to the existing agricultural and forestry business and general estate management. The live-in nature of the position is required due to the variability in working hours and round-the-clock nature of such businesses. As this is required on site, there is an implicit requirement for this to be located outwith the settlement, though the application site has an established precedent of residential use at this location, so no new use is being introduced.

While the West Lodge itself, an attractive building that forms part of the character of the Barochan Estate, is not being converted for residential use, the proposal is a form of enabling development that will allow this building to be refurbished and converted for an alternative use, and ensuring its continued use into the future. The building is currently in a dilapidated state of disrepair, and requires significant sums of money to be repaired and restored. The proposed development is seen as a way of raising funds for this by changing it's use and offsetting the cost of the refurbishment against the future earnings of the business.

Specific design matters relating to the design of the new house will be set out at detailed applications stage, but it is considered that an appropriate and attractive design can be introduced to the proposed location to the rear of the West Lodge that complements and enhances this setting. The proposed dwellinghouse will be a replacement dwelling, and therefore the design of this is understood to be key as per the terms of the criteria on page 37. As shown in the indicative plan, the replacement dwelling is of a similar scale and size as the existing West Lodge.

As per the above, the proposed development is considered to accord with the relevant Green Belt provisions of the New Development Supplementary Guidance, and the established planning precedents set by Renfrewshire Council. This sets a planning context where the proposed conversion



and Change of Use of West Lodge, and associated erection of a new dwellinghouse is acceptable in principle.

A number of other policies are applicable in order to assess the development's acceptability in regard of their areas of concern.

Policy 15 – Flooding and Drainage relates to new development and aims to ensure the development is suitably located with regards to flooding, and will not exacerbate flooding or drainage issues elsewhere in the surrounding area. The Policy states:

“New development should avoid areas susceptible to flooding and is required to demonstrate promotion of sustainable flood risk management measures by implementing suitable drainage infrastructure. Development must not have an impact on existing drainage infrastructure or increase the risk of flooding. Where any development involves land raising, effective compensation for any loss of local flood storage capacity must be secured. The implementation of new or improved drainage requires to employ Sustainable Urban Drainage Systems (SUDS) measures and flooding and drainage measures should aim to have a positive effect on the water environment as well as the natural heritage interests of the site or land surrounding the site. Any development will require to be assessed against the criteria and guidance set out in the New Development SG and be supported by an assessment of flood risk when deemed necessary by the planning authority.”

The application site has been reviewed using SEPA flood maps and it has been concluded that there is no risk of surface, river, or coastal water flooding on the application site. The site is an existing residential development site, and therefore has all requisite infrastructure and measures to accommodate a replacement residential development.

The Policy also makes reference to relevant criteria and Guidance in the **New Development Supplementary Guidance**. The relevant guidance for this topic is contained on page 24, and sets out a number of criteria. These criteria, and a response to each, is shown below:

- *All development proposals will require to demonstrate compliance with Scottish Planning Policy and the Flood Risk Management guidance set out by the Scottish Government and the Scottish Environment Protection Agency;*
 - Paragraph 264 of the Scottish Planning Policy (SPP) lists a number of criteria that should be used to consider flood risk. These include (inter alia) site characteristics, the proposed use of the development, surface run-off from adjoining land, and culverted watercourses. The site is relatively flat and is currently comprised of an existing residential property and associated garden ground. As stated, SEPA flood maps have identified no risk of flooding from any source. The existing use of this site and the evidence of there being no flood risk is considered to demonstrate that the site is suitable for the proposed development.
- *Development must not increase the risk of flooding;*
 - The development is not considered to be of a nature that would increase the risk of flooding, due to the size and scale of the proposal and the characteristics of the development site, which is relatively flat land with no risk of flooding.
- *It must be demonstrated that the site can be satisfactorily drained and, where possible, incorporate Sustainable Urban Drainage System techniques;*
 - The site is an existing residential development site and therefore can utilise existing drainage infrastructure



- *The capacity of the functional flood plain to store water must not be reduced;*
 - There will be no impact on flood-storage capacity as a result of this development
- *Development must not result in additional discharge of surface water;*
 - The proposed development would not result in additional discharge of surface water, this would be disposed of appropriately using existing drainage infrastructure
- *The resulting development must not increase the risk of flooding elsewhere;*
 - There is not considered to be any risk of the proposal increasing flood risk elsewhere
- *The risk of flooding to the development itself can be satisfactorily mitigated;*
 - There is no risk of flooding to the proposal site, as confirmed by SEPA flood maps
- *Developments should maximise the amount of permeable surfaces;*
 - Permeable surfaces can be utilised in the proposal. While the proposed dwellinghouse would include garden ground which would be permeable, the proposed driveway can utilise permeable surfacing as appropriate. This can be confirmed at a detailed design stage when materials and landscaping are specified
- *Existing flood protection / defence mechanisms are protected with the Delivering the Infrastructure Strategy development not compromising the potential for future flood management proposals;*
 - The development will not impact on existing or future flood protection or defence mechanisms
- *Unnecessary engineering works in the water environment will be resisted, including culverting of existing water sources. Opening up existing culverts will be welcomed and encouraged;*
 - This proposal does not involve water environment engineering works
- *Where additional flood protection mechanisms are required there should be consideration of soft/natural devices which can be integrated into the site;*
 - No additional flood protection mechanisms are proposed under this development
- *Land raising will not be accepted unless compliance with national policy can be demonstrated;*
 - No land raising is proposed as part of this development
- *It must be demonstrated that there is the ability to effectively deal with foul drainage from all developments.*
 - The proposal site is an existing residential property, and therefore has existing foul drainage infrastructure (in this case via a septic tank) that can be utilised as part of this proposal.

The above demonstrates that the proposal accords with Policy I5 and the corresponding sections of the New Development Supplementary Guidance.

Subsequently, the above policy analysis demonstrates that the proposed development accords with all relevant planning policies of the Renfrewshire LDP. The proposed development accords with the relevant policy for the Green Belt as it relates to a dwellinghouse required for the purposes of an existing, established business in the Green Belt. Furthermore, the proposal accords with the policy on flooding and drainage. It therefore accords with the Renfrewshire LDP and it is regarded that planning permission should be granted for the proposal.

Summary

Planning Application for Permission in Principle for erection of a replacement dwellinghouse and conversion and Change of Use of existing cottage (Class 9) to reception/office (Class 4) at West Lodge, Barochan Estate, Chapel Road, Houston, PA6 7AZ

Date: 27/10/2021

Our Ref: MR/2021/01/0001

Page 10 of 11



This planning application is for Planning Permission in Principle for the erection of a replacement dwellinghouse and conversion and Change of Use of the existing cottage to a reception/office at West Lodge, Barochan Estate, Chapel Road, Houston, PA6 7AZ.

The West Lodge cottage is in a severely dilapidated and poor condition with large areas of dampness and water ingress. This poses a structural and health hazard to potential occupants. The condition has been prohibitive to interest when the property has been marketed. This financially constrains the building, and therefore it is proposed to use it as a reception/office associated with the holiday let business on the site. This will allow the cost of repairs to be offset against future earnings of the business.

At the same time, a new dwelling is proposed to be built to the rear of the West Lodge. This house will be exclusively for the use of an employee of the Barochan Farm business, with responsibilities relating to the holiday let component of the business, as well as the established agricultural and forestry elements, and general estate management. This can be enforced by condition if Renfrewshire Council see fit.

The proposal has been considered in terms of the relevant planning policy provisions, which set the context in which housing development within the Green Belt is acceptable. The proposal accords with this as it supports an established business in the Green Belt (in this case Barochan Farm) and there is an operational requirement for a staff member to be situated on-site. The conversion of the West Lodge building is also acceptable in terms of the policy, and is considered as a form of enabling development that allows the building to be repaired and retained.

As this is an application for Planning Permission in Principle, detail is limited at this stage on the proposed design of the proposed dwellinghouse, but it is considered that an appropriate and attractive design can be brought forward on the site that incorporates elements of its surrounding and its local character.

This letter demonstrates that the proposal accords with the relevant provisions of the Renfrewshire Local Development Plan and relevant material considerations and planning precedents, and therefore Planning Permission in Principle for this proposal should be granted.

I trust that the above and enclosed is acceptable. If you require any further information, please do not hesitate to contact me at the details below.

Yours faithfully



Murray Rankin MSc MRTPI

Senior Planner

T: [REDACTED]

E: [REDACTED]



NOTES:
FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.
ALL DIMENSIONS TO BE CHECKED ON SITE.

0 5 10
metres
1:200

KEY:
Application Boundary 0.16 Hectares

Revision: Date: Description:



**GRAHAM
SIBBALD**

Chartered Surveyors and Property Consultants

233 St Vincent Street, Glasgow G2 5QY
Telephone 0141 332 1194 Fax 0141 332 5914
Website: www.g.s.co.uk Email: cad@g.s.co.uk

Client
R&R Construction (Scotland) Ltd

Project
West Barochan Lodge - Private House

Address
West Barochan Lodge,
Chapel Road,
Johnstone, PA6 7AX

Drawing Title
Proposed Site Layout

Department No. GB_12690	Drg No. 03	Revision -	Sheet Size 1/200 @ A1
Aims. No. 2021\03\0304		Drawing Status Planning in Principle	
Drawn By AC	Checked By APD	Date 21.10.2021	



NOTES:
FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.
ALL DIMENSIONS TO BE CHECKED ON SITE.

0 5 10
metres
1:200

KEY:
Application Boundary 0.16 Hectares

Revision: Date: Description:



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233 St Vincent Street, Glasgow G2 5QY
Telephone 0141 332 1194 Fax 0141 332 5914
Website: www.g.s.co.uk Email: cad@g.s.co.uk

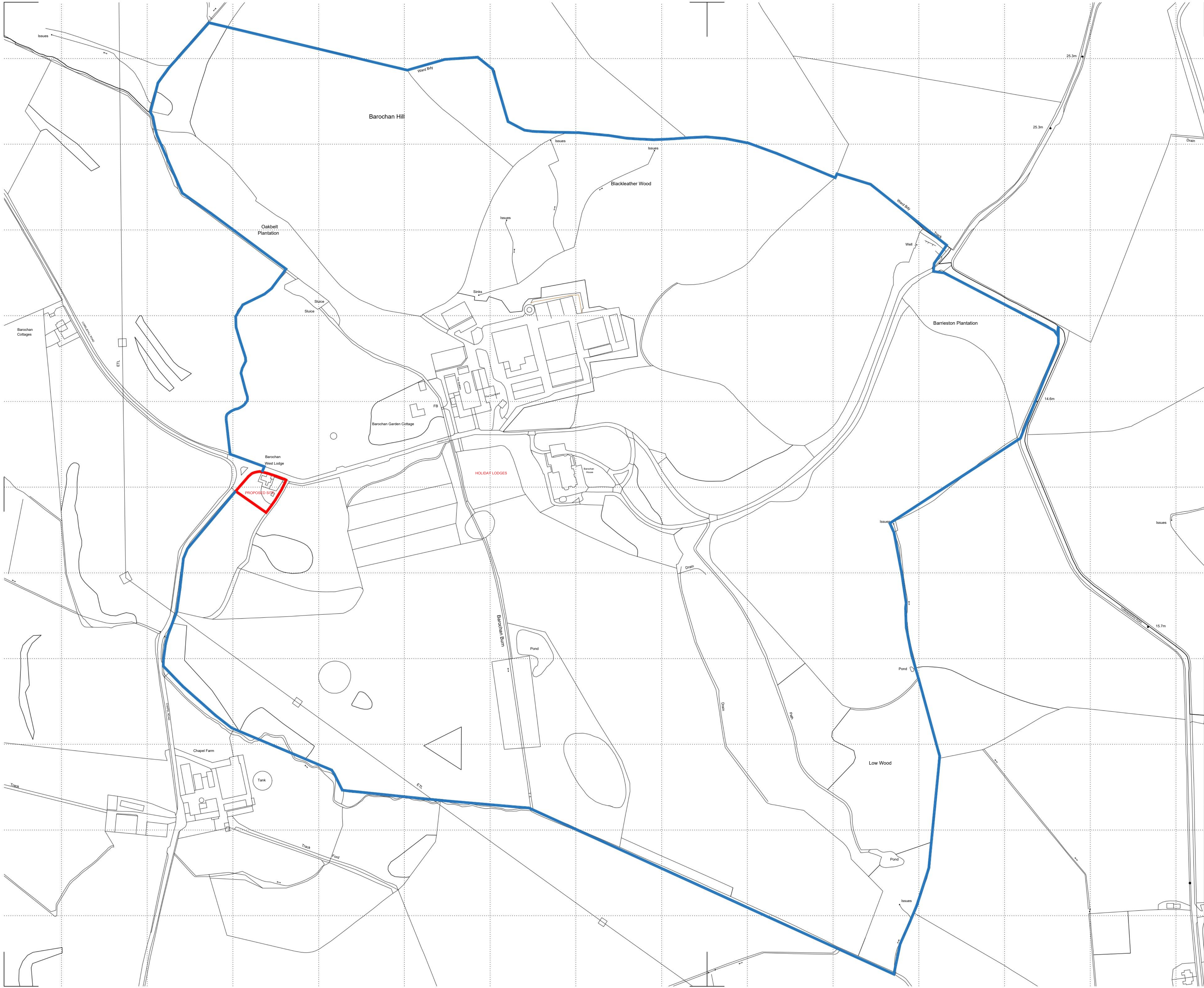
Client
R&R Construction (Scotland) Ltd

Project
West Barochan Lodge - Private House

Address
West Barochan Lodge,
Chapel Road,
Johnstone, PA6 7AX

Drawing Title
Existing Site Plan

Department No. GB_12690	Drg No. SK02	Revision -	Sheet Size 1/200 @ A1
Aims. No. 2021\03\0304		Drawing Status Planning in Principle	
Drawn By AC	Checked By APD	Date 21.10.2021	



NOTES:
FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.
ALL DIMENSIONS TO BE CHECKED ON SITE.

0 10 20 30 40 50
metres
1:2000

KEY:
Application Boundary
Other Area Owned by Applicant

Revision: Date: Description:

GRAHAM SIBBALD
Chartered Surveyors and Property Consultants
233 St Vincent Street, Glasgow G2 5QY
Telephone 0141 332 1194 Fax 0141 332 5914
Website: www.g-s.co.uk Email: cad@g-s.co.uk

Client
R&R Construction (Scotland) Ltd

Project
West Barochan Lodge - Private House

Address
West Barochan Lodge,
Chapel Road,
Johnstone, PA6 7AX

Drawing Title
Location Plan

Department No. GB_12690	Drg No. 01	Revision -	Sheet Size 1/2000 @ A1
Aims. No. 2021\03\0304		Drawing Status Planning in Principle	
Drawn By AC	Checked By APD	Date 21.10.2021	

My Ref:
Contact: Clare Murray
Telephone: 07483 370667
Email: dc@renfrewshire.gov.uk
Date: 20 June 2022



Graham + Sibbald
233 St Vincent Street
Glasgow
G2 5QY

Proposal: Erection of dwellinghouse (in principle).
Location: Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX,
Application Type: Planning Permission in Principle
Application No: 21/1625/PP

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.

You have the right to appeal against this decision to the Local Review Body and notes on how to appeal are attached.

Yours faithfully,



Alasdair Morrison
Head of Economy and Development

REFUSE Consent subject to the reasons

Ref. 21/1625/PP



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

R & R Construction (Scotland) Ltd

Unit 4

22 Churchill Tower

Ayr

KA7 1JT

With reference to your application registered on 27 October 2021 for Planning Consent for the following development:-

PROPOSAL

Erection of dwellinghouse (in principle).

LOCATION

Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX

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 Consent subject to the reasons listed on the reverse/paper apart.

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: 20/06/2022

Signed

Appointed Officer

on behalf of Renfrewshire Council

Ref. 21/1625/PP

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposal is contrary to Policy ENV 1 of the Adopted Renfrewshire Local Development Plan 2021 as the proposal has not demonstrated a need for new housing that is necessary to support an established greenbelt activity and the details provided are such that it may have an adverse impact on the character of the green belt.
2. The proposal is contrary to Policy E4 of the Adopted Renfrewshire Local Development Plan and the draft New Development Supplementary Guidance, Tourism as it has not been demonstrated that there is a specific location need for the dwellinghouse or that the development would strengthen the appeal and attraction of Renfrewshire to a range of visitors. The details provided are such that the scale of the proposal may also not be proportionate or fit in well with the location.
3. The proposal is contrary to the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as the proposal does not require a specific green belt location or justify the requirement for a residential use outwith the settlement and from the details provided does not demonstrate outstanding quality of design of an appropriate scale for its setting such that it would integrate and enhance the established character of the area.

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.

Appendix 1

RENFREWSHIRE COUNCIL		Application No: 21/1625/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd: 11 November 2021
Applicant	Agent	
R & R Construction (Scotland) Ltd Unit 4 22 Churchill Tower Ayr KA7 1JT	Graham + Sibbald 233 St Vincent Street Glasgow G2 5QY	
Nature of Proposals Erection of dwellinghouse (in principle).		
Site Barochan West Lodge, Chapel Road, Houston, Johnstone, PA6 7AX		
Description <p>This application seeks planning permission in principle for the erection of a residential dwellinghouse to house an estate manager, within the grounds of a vacant lodge house with a view to converting the lodge house to office use, should the proposal prove acceptable. The application site is located on Barochan Estate, to the northeast of Houston, and comprises the estate gatehouse, known as West Lodge, and its garden grounds. The site is located at the corner of Chapel Road and Corsliehill Road, at the access to Barochan Estate which lies to the east of the site.</p> <p>The application site extends to approximately 0.16Ha and accommodates the existing gate house and gardens. The gatehouse comprises a 2-bedroom single storey traditional building with a pitched slated gable ended roof, with a more recent single storey extension to the rear.</p> <p>It is proposed to retain the gatehouse, divide the plot, and erect a new replacement house in the garden ground to the rear.</p> <p>The applicant has indicated that the gatehouse is in poor condition with significant areas of damp and timber rot which pose a structural and health hazard. It has been indicated that the house cannot be reasonably returned to a habitable state without extensive and prohibitive financial outlay and that a new dwellinghouse is required to fund these works and house a manager for the letting accommodation associated with the estate, which has recently been augmented by a development of 5 lodges. No structural survey information has been submitted in support of this claim.</p> <p>The applicant has submitted a statement in support of the application claiming the need for the manager's accommodation and potential offices is justified by the requirements of the estate and by other planning permissions in the area, which it is submitted, establish a precedent for housing in the green belt.</p>		
History		

<p>Application No: 18/0871/PP Description: Erection of five holiday lodges. Decision: Granted subject to conditions</p> <p>Application No: 17/0664/PP Description: Planning permission in principle for tourism chalet development Decision: Granted subject to conditions</p>
<p>Policy and Material Considerations</p> <p>Adopted Renfrewshire Local Development Plan 2021 Policy ENV1 - Green Belt Policy E4 - Tourism</p> <p>Draft New Development Supplementary Guidance Delivering the Environment Strategy - Green Belt Development Criteria, Housing in the Green Belt Delivering the Economic Strategy - Tourism</p> <p>Material considerations Design Guide for Conversion of Existing Buildings and for New Buildings in the Countryside Planning Advice Note 72 - Housing in the Countryside</p> <p>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.</p>
<p>Publicity</p> <p>An Advert was placed on the press on 1 December 2021 for the following reasons; Potentially Contrary to Development Plan.</p>
<p>Objections/Representation</p> <p>None received.</p>
<p>Consultations</p> <p>Environment & Infrastructure Services (Roads) - No objection subject to relocation of parking spaces outwith the visibility splay.</p> <p>Environment & Infrastructure Services (Design Services) – No objection.</p>
<p>Summary of Main Issues of:</p> <p><u>Environmental Statement</u> – n/a</p>

Appropriate Assessment – n/a

Design Statement – n/a

Access Statement – n/a

Other Assessments – Planning Statement which provides a critique of the proposal, including a justification against planning policy.

Planning Obligation Summary – n/a

Scottish Ministers Direction – n/a

Assessment

Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2021 states that development within the green belt will be considered appropriate in principle where there is a housing land shortfall remedy which satisfies Policy 8 of Clydeplan or is in support of certain uses. These uses include that of a tourism related development acceptable under Policy E4. Stating that support will be given to developments that are able to demonstrate diversification within green belt and rural areas which promote new employment, tourism opportunities or community benefits. It also states that development within the green belt will only be considered acceptable where it can be demonstrated that it is compatible with the provisions of the New Development Supplementary Guidance.

The draft New Development Supplementary Guidance (SG) states that development can be acceptable in principle where it is for a purpose in support of acceptable green belt uses. Green Belt Development Criteria provides a set of guidance that all development require to meet, including that traffic and access infrastructure can be sensitively accommodated and that it has been demonstrated that there has been careful consideration of the siting, design, scale and grouping of any buildings and infrastructure. Further to this guidance Housing in the Green Belt states residential development proposals require to be assessed against the following criteria.

- The development is required to maintain and support an established activity that is suitable in the green belt and is ancillary and within the boundary of the established use;
- It is demonstrated that there is a need for the residential use to be located out with the settlement; Buildings which have special architectural, traditional or historic character which contribute to the setting of the area may be converted or re-used for residential where it can be demonstrated that it is no longer suitable for the purpose originally intended, with the original building forming the main part of the development;
- The proposal demonstrates outstanding quality of design, is of an appropriate scale within its setting and makes a positive contribution to the site and surrounding area;
- The proposal integrates with, complements and enhances the established character of the area and has no significant detrimental impact on the landscape character; and,
- Replacement dwellings must reflect the specific character of the location, fit well with the surrounding landscape and achieve a high design standard and environmental quality. Replacement dwelling(s) require to be of a similar scale, character and massing to other residential units in the surrounding area.

Policy E4 considers that proposals for sustainable tourism development including new or expanded tourism related facilities will be supported where it can be demonstrated that; the proposed development is capable of strengthening the appeal and attraction of Renfrewshire to a range of visitors; the scale of the proposal is proportionate, fits in well with the location and would be compatible with neighbouring land uses; the development will complement existing/proposed tourist facilities in that area; additional visitors may be attracted to the area and can be accommodated by existing infrastructure; the development can demonstrate a specific locational need. Further guidance is also provided under Tourism within the draft New Development Supplementary Guidance.

The applicant has claimed that the proposal is required in support of holiday accommodation granted under planning permission Application Reference No: 18/0871/PP, together with other rental accommodation within the estate and estate business. On this basis, the proposal requires to be assessed against the requirements of Policy E4 and the associated SG. When the proposal is assessed in this way the following conclusions can be made.

The tourist facility granted planning permission though Application Reference No: 18/0871/PP (Erection of five holiday lodges) was for a stand-alone tourist related proposal and not one which required a new managers house to make viable. I do not consider that the erection of a new dwellinghouse to house a manager would either increase the appeal of the holiday lodges or the tourism attraction of Renfrewshire as a whole. Given the scale and character of this tourism facility I do not consider that it has been demonstrated that the proposal is required to support this facility. Further to this the proposed development does not demonstrate a specific locational need as it could be accommodated reasonably within existing surrounding built up areas. It is also noted that the indicative footprint of the proposed house is not of a scale that could be considered to be proportionate to the adjoining lodge house such that it would fit in well with the location.

Therefore, I do not consider that the proposal is in compliance with Policy E4 or the associated SG.

The draft New Development Supplementary Guidance also sets out guidance specifically relating to housing in the green belt. When assessed against this guidance it can be concluded that, the proposal does not require a specific green belt location. It also does not justify the requirement for a residential use outwith the settlement and from the indicative plans it may not integrate or enhance the established character of the area given the size of the building footprint shown.

In view of the above, the proposal is considered contrary to the draft New Development Supplementary Guidance on Housing in the Green Belt.

All developments within the green belt must also be assessed against the SG general Green Belt Development Criteria. In this instance, there will be no loss of prime quality agricultural land. There is no requirement for additional access or traffic infrastructure. It is not anticipated that there will be a significant effect on public water supply or water courses from pollution risk. As no details in relation to the design and scale of the building have been submitted, I am not able to assess whether there would be significant detrimental effect on local landscape character, identified nature conservation interests, access to open space, or existing landscape features. However, it is noted that the indicative footprint of the proposed house is not of a scale that could be considered to be proportionate to the adjoining lodge house such that it would fit in well with the location.

Overall, the proposal does not accord with Policy ENV 1.

With regard to the other planning consents referenced by the applicant, these involve different proposals for different developments with different justifications and have little similarity to the application proposal or the principle of the development proposed.

Having considered the above assessment, it is found that the proposal does not comply with the adopted Renfrewshire Local Development Plan or the draft New Development Supplementary Guidance as it has not been demonstrated that there is a specific locational need for a dwellinghouse in this green belt location and the details provided of the development are such that it is considered that it may have an adverse impact on the character of the area. It is therefore recommended that the application be refused.

Index of Photographs

A site visit has been undertaken on 19 January 2022, and photographs relevant to the application have been archived.

RECOMMENDATION

Refuse

REASONS FOR REFUSAL

1. The proposal is contrary to Policy ENV 1 of the Adopted Renfrewshire Local Development Plan 2021 as the proposal has not demonstrated a need for new housing that is necessary to support an established greenbelt activity and the details provided are such that it may have an adverse impact on the character of the green belt.
2. The proposal is contrary to Policy E4 of the Adopted Renfrewshire Local Development Plan and the draft New Development Supplementary Guidance, Tourism as it has not been demonstrated that there is a specific location need for the dwellinghouse or that the development would strengthen the appeal and attraction of Renfrewshire to a range of visitors. The details provided are such that the scale of the proposal may also not be proportionate or fit in well with the location.
3. The proposal is contrary to the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as the proposal does not require a specific green belt location or justify the requirement for a residential use outwith the settlement and from the details provided does not demonstrate outstanding quality of design of an appropriate scale for its setting such that it would integrate and enhance the established character of the area.

Alasdair Morrison
Head of Economy and Development



Applicant: R&R Construction (Scotland) Ltd	Ref. No: 21/1625/PP
Site: Barochan West Lodge, Chapel Road, Houston	Officer: Clare 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) ✓
01	Location Plan	✓		✓
SK 02	Existing Site Plan	✓		✓
03	Indicative Proposed Site Plan	✓		✓

Officers Initials: CM

Admin Initials: _____DM_____

RENFREWSHIRE COUNCIL	
Town and Country Planning (Scotland)	
Act 1997	
Application No.	21/1625/PP
REFUSED on	20.06.2022
Signed by	
On behalf of Renfrewshire Council	

PLANNING AUTHORITY'S SUBMISSIONS

My Ref:
Contact: James Weir
Telephone: 07483 370666
Email: dc@renfrewshire.gov.uk
Date: 12 July 2022



Stephen Govan

Proposal: Erection of dwellinghouse with associated access (in principle)
Location: Site On Western Boundary Of Marypark, Marypark Road, Langbank, ,
Application Type: Planning Permission in Principle
Application No: 22/0125/PP

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.

You have the right to appeal against this decision to the Local Review Body and notes on how to appeal are attached.

Yours faithfully,

A black rectangular box redacting the signature of Alasdair Morrison.

Alasdair Morrison
Head of Economy and Development

REFUSE Consent subject to the reasons

Ref. 22/0125/PP



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

Mr Arthur MacMillan
Finlaystone House
Finlaystone Estate
Langbank
Port Glasgow
PA14 6TJ

With reference to your application registered on 22 February 2022 for Planning Consent for the following development:-

PROPOSAL

Erection of dwellinghouse with associated access (in principle)

LOCATION

Site On Western Boundary Of Marypark, Marypark Road, Langbank,

DECISION

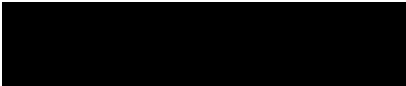
The Council in exercise of their powers under the above Acts and Orders, having considered the above proposal, the plans endorsed as relating to it and the particulars given in the above application hereby:-

REFUSE Consent subject to the reasons listed on the reverse/paper apart.

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: 8 July 2022


Signed
Appointed Officer
on behalf of Renfrewshire Council

Ref. 22/0125/PP

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposed development does not comply with Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as it has not been demonstrated that there is a specific locational need for a dwellinghouse and the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.
2. The proposed development does not comply with Policy ENV2 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Trees, Woodland and Forestry and Local Designations as the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.

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.

Appendix 1

RENFREWSHIRE COUNCIL		Application No: 22/0125/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd: 22 February 2022
Applicant	Agent	
Mr Arthur MacMillan Finlaystone House Finlaystone Estate Langbank Port Glasgow PA14 6TJ	Stephen Govan Ingram Architecture & Design 227 Ingram Street Glasgow G1 1DA	
Nature of Proposals Erection of dwellinghouse with associated access (in principle)		
Site Site On Western Boundary Of Marypark, Marypark Road, Langbank,		
Description <p>This application seeks planning permission in principle for the erection of a dwellinghouse on a site to the west of Marypark House in Langbank. The site is accessed from Marypark Road which is a private single track road serving nine houses. Marypark Road is accessed from the A8 trunk road to the west of the site.</p> <p>The application site extends to approx. 700 square metres. It is situated in an area of woodland, with rising ground and a rocky outcrop to the west and south. To the east is another development plot on which planning permission in principle for a dwellinghouse was granted in 2019. The proposed house and the consented house would share the same access. Beyond the development plot to the east is Marypark House. Marypark Road bounds the site to the north with the A8 beyond.</p>		
History <p>Application No: 19/0516/PP Description: Erection of dwellinghouse and formation of access (planning consent in principle) Decision: Grant subject to conditions</p>		
Policy and Material Considerations <p><u>Adopted Renfrewshire Local Development Plan 2021</u> Policy ENV1 – Green Belt Policy ENV2 – Natural Heritage Policy P1 – Renfrewshire's Places Policy I1 – Connecting Places Policy I3 – Flooding and Drainage</p> <p><u>Draft New Development Supplementary Guidance</u> Delivering the Environment Strategy – Green Belt Development Criteria, Housing in the Green</p>		

<p>Belt, Local Designations and Trees, Woodlands and Forestry Delivering the Places Strategy – Creating Places Delivering the Infrastructure Strategy – Connecting Places, Flooding and Drainage</p> <p><u>Material Considerations</u> Renfrewshire's Places Residential Design Guide</p>
<p>Publicity</p> <p>The Council has undertaken neighbour notification in accordance with the requirements of legislation.</p> <p>An Advert was placed on the press on 9 March 2022 for the following reasons; Neighbour Notification.</p>
<p>Objections/Representation</p> <p>None received.</p>
<p>Consultations</p> <p>Environment & Infrastructure Services - (Roads) – No comments.</p> <p>Communities & Housing Services - (Environmental Protection Team) – Advisory note requested should ground disturbance uncover any contamination or unusual materials.</p> <p>Transport Scotland – No objections.</p> <p>Glasgow Airport Safeguarding – No comments.</p>
<p>Applicants Supporting Information</p> <p>Tree Survey – Trees within the site are entirely self seeded surviving among areas of invasive rhododendron. There are fourteen low quality trees and one medium quality cherry tree. The overall biological value of the plot is considered low.</p> <p>Ecological Constraints Survey – Proposed development may impact the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland. However, the effects are likely to be short term and mainly during construction works.</p> <p>If development is kept to the open area of the site, then it is likely that only limited limbing and felling of young trees would be required. The open area has previously been cleared and is now dominated by rhododendron.</p> <p>The site has suitable habitat for badgers and nesting birds. However, no evidence of badgers was identified on the site. Two trees were found to be suitable for roosting bats. However again there is no evidence that they are being used by bats.</p> <p>Various recommendations are made with respect to the development of the site. These include vegetation clearance outwith the bird nesting season, retention of the vegetation line along the</p>

northern edge of the site, and timing of works on site to avoid disturbance to foraging or commuting bats.

Flood Risk Assessment – The site is at medium to high risk of flooding from fluvial sources and failure of drainage infrastructure. Mitigation measures include forming a maintenance wayleave along the eastern boundary of the site, raising ground levels to mimic those along the eastern boundary, a 200mm freeboard, and confirming responsibility for maintenance of a culvert. The development will not increase the flood risk at neighbouring properties and is in general accordance with the principles set out in Scottish Planning Policy.

Assessment

The application site is covered by both Policy P1 and Policy ENV1 designations within the adopted Renfrewshire Local Development Plan 2021. The Policy P1 area relates to the proposed access which would be shared between the proposed dwellinghouse and the dwellinghouse approved on the plot to the east. Most of the site, including the area on which the dwellinghouse will be sited, is covered by Policy ENV1.

As most of the site area is covered by Policy ENV1, it is considered that assessment against this policy should take precedence.

Policy ENV1 states that development within the green belt will be considered appropriate in principle where it is a housing land shortfall remedy which satisfies Policy 8 of Clydeplan or is in support of certain uses. It also states that development within the green belt will only be considered acceptable where it can be demonstrated that it is compatible with the provisions of the New Development Supplementary Guidance.

A housing land shortfall has not been identified. Therefore, the proposal requires to be assessed against the other criteria that allow development of this type to come forward and the criteria within the draft New Development Supplementary Guidance (SG).

The SG states that development can be acceptable in principle where it is for a purpose in support of acceptable green belt uses. Green Belt Development Criteria provides a set of guidance that all development require to meet, including that traffic and access infrastructure can be sensitively accommodated and that it has been demonstrated that there has been careful consideration of the siting, design, scale and grouping of any buildings and infrastructure. Further to this guidance Housing in the Green Belt states residential development proposals require to be assessed against the following criteria.

Development is required to maintain and support an established activity

The development is not required to maintain or support an established activity that is suitable in the green belt.

There is a need for the residential use to be located outwith the settlement

It has not been demonstrated that there is a need for the development to be located outwith the settlement.

Buildings which have special architectural, traditional or historic character may be converted for residential use

The development does not involve the conversion of an existing building.

The proposal demonstrates outstanding quality of design, is of an appropriate scale within its setting, and makes a positive contribution to the site and surrounding area

As the application is in principle only no design details have been provided. The applicant has provided a site plan which shows a dwellinghouse could be accommodated on the plot with respect to its dimensions. There is not any significant tree coverage on this part of the site, and only self-seeded trees of low quality would have to be removed to accommodate the development. The topographical constraints are acknowledged, and the submitted levels plan shows that most of the rear curtilage would be on steeply sloping ground. Whilst it is noted that a similar topographical relationship was accepted at the neighbouring plot it is also noted that the ecological survey submitted has indicated that this proposal may impact the integrity of the SINC and the ancient woodland that the site is located within.

The proposal integrates with, complements and enhances the established character of the area

As the application is in principle only no design details have been provided. However, as the plot is enclosed by sloping ground and tree coverage to the south, east and west and the A8 trunk road to the north it is unlikely that development would be overly visible. However, it has the potential to have an adverse impact on the SINC and the ancient woodland.

Replacement dwellings should reflect the specific character of the location, fit well with the surrounding landscape and achieve a high design standard

The proposed development does not constitute a replacement dwellinghouse.

It is noted that the applicant has submitted survey work relating to trees, ecology, topography, and flood risk which determines that the site's constraints could potentially be overcome. However, the proposal does not meet the criteria required in assessment of this type of development for the above reasons.

The development must also be assessed against the green belt development criteria.

There is no loss of prime quality agricultural land associated with the proposals. It is also not anticipated that the development poses a significant pollution risk with respect to public water supply and water courses.

There is no requirement to provide access to open space.

Whilst it is noted that an argument has been made that the development can be accommodated with limited impact on identified nature conservation interests there is potential that the development may impact the integrity of the SINC and the ancient woodland that the site is located within.

The northern boundary of the site is defined by a stone wall. Removing part of the wall to form an access has already been accepted through the approval of application 19/0516/PP. Both the proposed dwellinghouse and the previously approved dwellinghouse would share the same access.

It is unlikely that the development would have a significant adverse impact on landscape character given the characteristics of the site. The proposed development continues the ribbon style of residential development along the southern side of Marypark Road. Further development to the south and west of the site wouldn't be possible given the topography and tree coverage which encloses the site.

The applicant has advised that a connection could be made to the public water supply and drainage network. Further details regarding the disposal of foul and surface water could be controlled via condition.

Policy ENV2 states that development proposals must consider the potential impact on natural heritage. Further guidance is provided in the SG on Trees, Woodlands and Forestry and Local Designations.

The ecology report and tree survey submitted with the application conclude that the site is of low natural heritage value despite its location within an ancient woodland and SINC. It is notable from the site visit that the site has been cleared of trees in the past, and invasive rhododendron is now present. The trees which are present are self-seeded, with the tree survey noting that the majority are of low quality. The ecology report advises that the development may impact the integrity of the SINC and the ancient woodland but that the effects are likely to be short term and mainly during construction works. Whilst it is recognised that the applicant seeks consent in principle for the erection of a dwellinghouse it is considered that to allow any development to be formed substantial works would be required and that there is insufficient information to demonstrate that the development would not affect the integrity of the ancient woodland and SINC has not been established.

Policy P1 states that within Renfrewshire's Places there will be a general presumption in favour of a continuance of the built form. As noted above the principal assessment has been undertaken against policy ENV1 as the bulk of the site is covered by this designation. However, Policy P1 is still considered to be relevant with respect to matters of amenity and compatibility.

The Environmental Protection team have raised no concerns with respect to statutory nuisances such as noise affecting the site. The indicative site plan also demonstrates that the relationship between the proposed dwellinghouse and the neighbouring plot is likely to be acceptable with respect to maintaining sufficient levels of privacy and daylight.

Policy I1 states that all development proposals require to ensure appropriate provision for accessibility.

In this instance the Environment and Infrastructure Service (Road) has not offered any formal comments as the development falls outwith their jurisdiction (the site is serviced from a private road which connects to a trunk road). However, they have recommended that any development is undertaken in accordance with the standards set out within the National Roads Development Guide.

It is noted that Transport Scotland have not objected to the proposals.

With respect to Policy I3, the Flood Risk Assessment confirms that the presence of a culvert to the southeast of the site is not a barrier to development subject to the incorporation of some recommendations. The development will not increase the flood risk at neighbouring properties and is in general accordance with the principles set out in Scottish Planning Policy.

In conclusion, the applicant has demonstrated the principle that the development plot could accommodate a dwellinghouse. A continuation of the existing development pattern along the southern side of Marypark Road is not considered to be undesirable. The topography and woodland coverage to the south and west largely screens the site from external vantage points.

However, the proposal does not comply with the adopted Renfrewshire Local Development Plan or the draft New Development Supplementary Guidance as it has not been demonstrated that there is a specific locational need for a dwellinghouse in this green belt location and the details provided of the development are such that it has not been fully demonstrated that the development would not have an adverse impact on the integrity of the SINC or the ancient woodland given the works required to form such a development. It is therefore considered that the application must be refused.

Index of Photographs

A site visit has been undertaken on 13 December 2021, and photographs relevant to the application have been archived.

RECOMMENDATION

Refuse.

Reason for Decision

1. The proposed development does not comply with Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as it has not been demonstrated that there is a specific locational need for a dwellinghouse and the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.
2. The proposed development does not comply with Policy ENV2 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Trees, Woodland and Forestry and Local Designations as the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.

[REDACTED]

Applicant: Mr Arthur MacMillan	Ref. No: 22/0125/PP
Site: Site On Western Boundary Of Marypark Marypark Road Langbank	Officer: James Weir

Documents

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

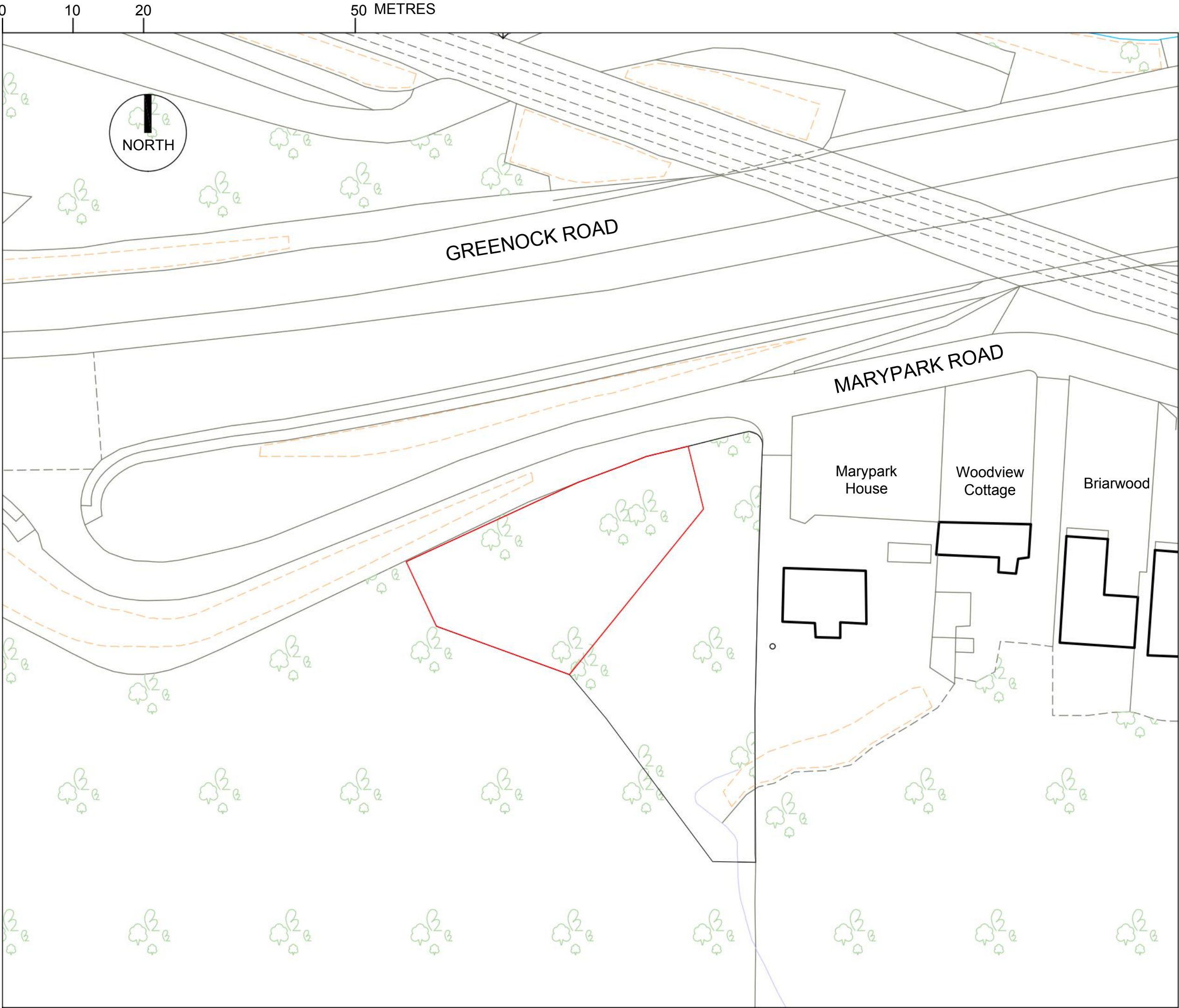
Plans to be stamped

Drawing Number	Drawing Title	Checked Paper/DMS (Officer) ✓	Stamped DMS (BS) ✓
1720(2-)01 A	Site Plan as Existing	✓	✓
1720(2-)02 B	Site Plan as Proposed	✓	✓
1720(2-)03	Existing and Proposed Block Plan	✓	✓
AP1579/Topo/01	Topographical Survey	✓	✓
1720(2-)00	Location Plan	✓	✓

Officers Initials: JW

Business Support Initials: __DM__

<p align="center">RENFREWSHIRE COUNCIL</p> <p align="center"><u>Town and Country Planning (Scotland)</u></p> <p align="center"><u>Act 1997</u></p>	
<p>Application No.</p>	
<p>REFUSED</p> <p>on</p>	
<p>Signed by</p>	
<p>On behalf of Renfrewshire Council</p>	
<p align="center">Page 118 of 248</p>	



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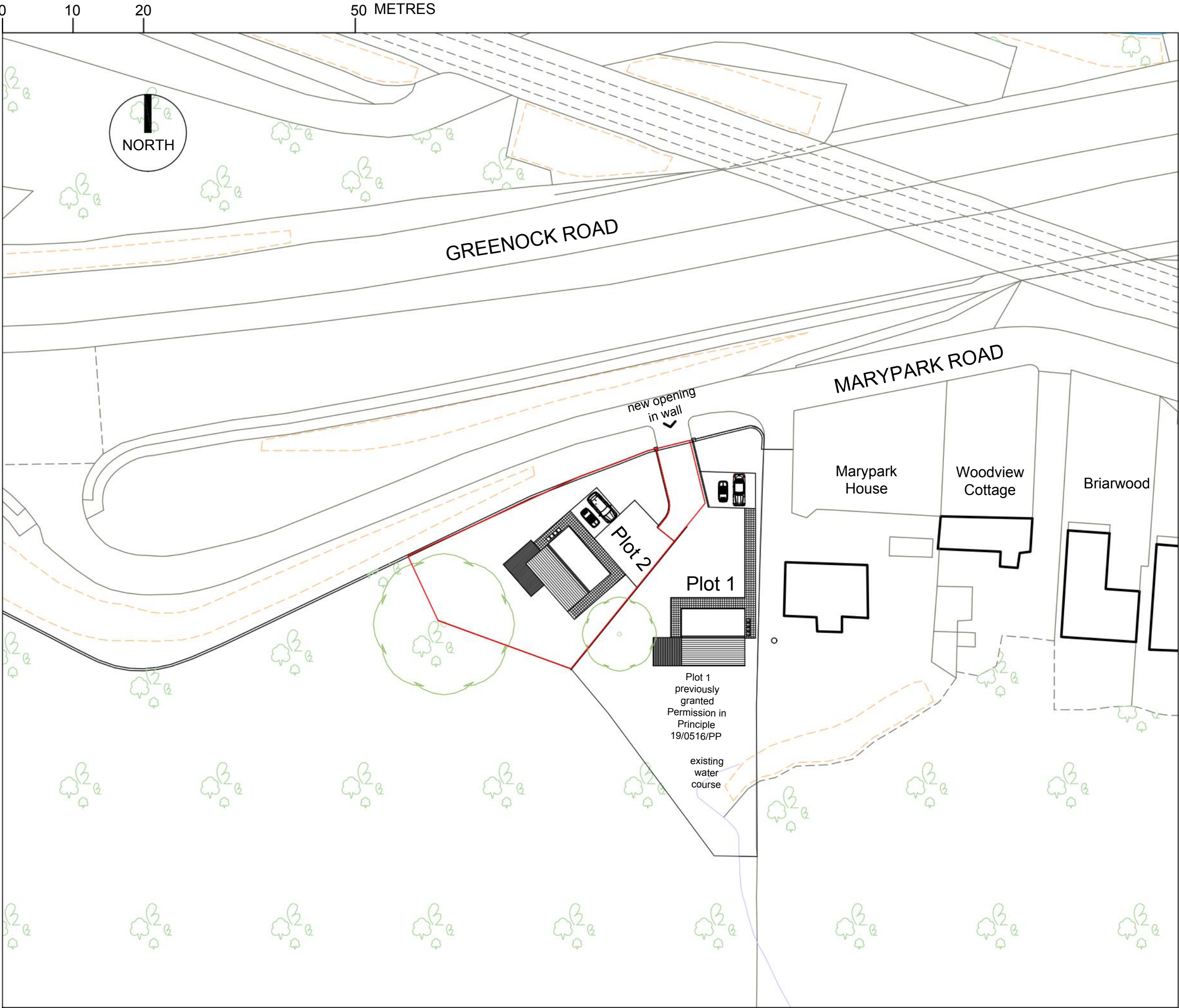
client Arthur Macmillan

project Marypark Road
Proposed Housing

drawing Site Plan
As Existing

scale 1:500@A3 date Mar 17

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Proposed Housing

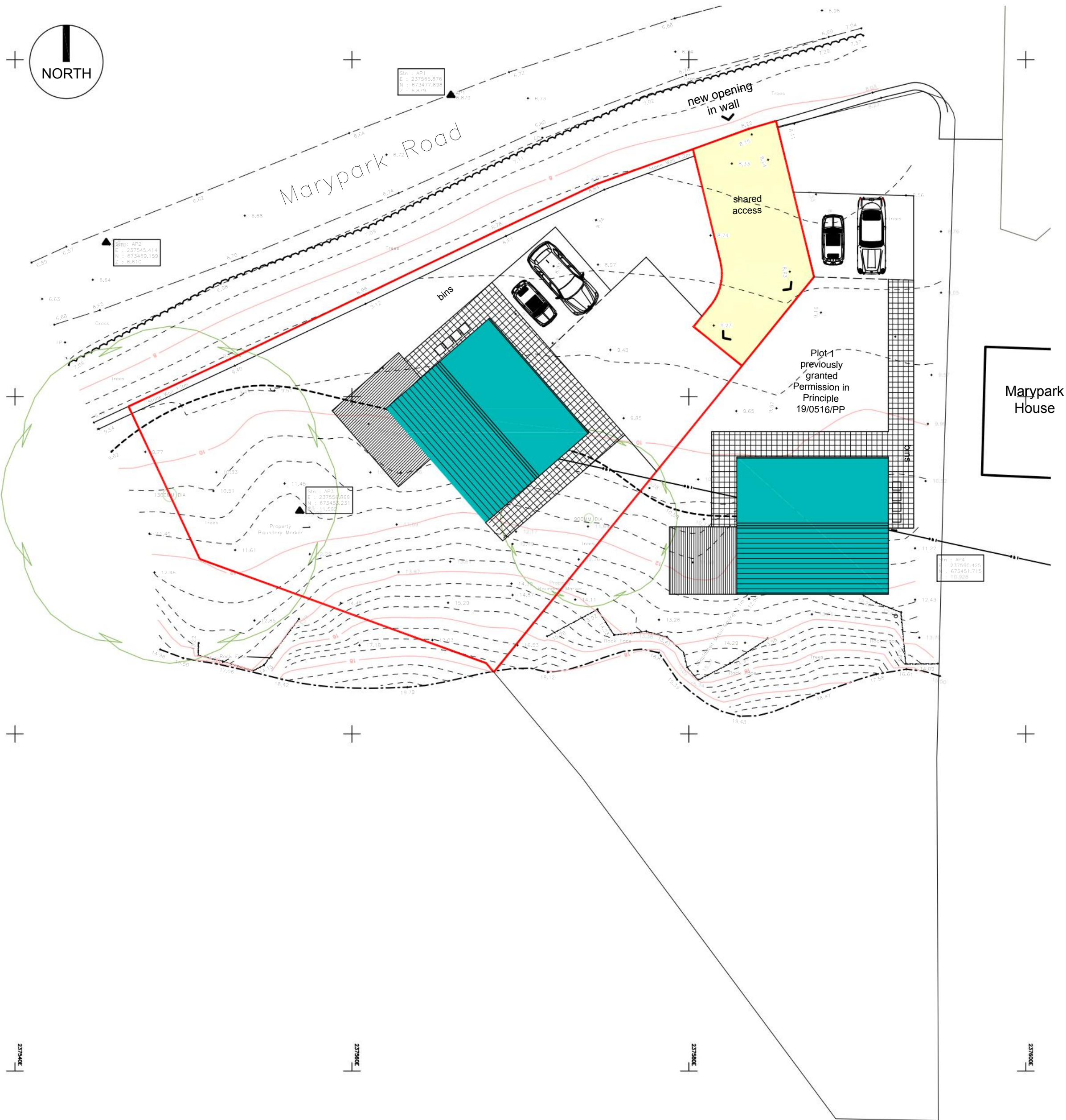
drawing Site Plan
As Proposed

scale 1:500@A3 date Mar 17

number 1720(2)-02 rev B



SITEPLAN AS EXISTING 1:200



SITEPLAN AS PROPOSED 1:200

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client Arthur Macmillan

project Marypark Road
Proposed Housing

drawing Existing & Proposed
Block Plan

scale 1:200@A1 date Feb 22

number 1720(2)-j03 rev -













MARYPARK ROAD, LANGBANK
FLOOD RISK ASSESSMENT
FOR
ARTHUR MACMILLAN

Report No.:	1800-200	Version:	FINAL
Revision:	-	Issue Date:	24 th September 2019
Authors:	RA/WH		

**MARYPARK ROAD, LANGBANK
FLOOD RISK ASSESSMENT
FOR
ARTHUR MACMILLAN**

SITE SUMMARY INFORMATION

Name of Site:	Marypark Road, Langbank
Ordnance Survey Grid Reference:	NS 37598 73469
Site Address:	Marypark Road, Langbank, Renfrewshire PA14 6UT
Local Authority:	Renfrewshire Council
Current Site Use:	Wooded overgrown land
Proposed Site Use:	Residential Development
Area (hectares):	0.1 ha approx.
On site buildings:	No current buildings
Type of Investigation:	Level 2 Flood Risk Assessment

**MARYPARK ROAD, LANGBANK
FLOOD RISK ASSESSMENT
FOR
ARTHUR MACMILLAN**

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**MARYPARK ROAD, LANGBANK
FLOOD RISK ASSESSMENT
FOR
ARTHUR MACMILLAN**

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Fig 2 – Additional Survey Works

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Photographic Plates

**MARYPARK ROAD, LANGBANK
FLOOD RISK ASSESSMENT
FOR
ARTHUR MACMILLAN**

1 INTRODUCTION

1.1 BACKGROUND

The development of a parcel of land at the eastern extent of Finlaystone House Estate, south of Marypark Road, Langbank is currently under consideration by Arthur MacMillan.

In order to meet the requirements of the Planning process, Terrenus Land & Water Ltd were approached by Arthur MacMillan, to undertake a flood risk assessment for the site.

1.2 OBJECTIVES OF INVESTIGATION

The principal aim of the assessment is to develop an understanding of the flood risk to the site and the proposed development. Consideration of feasible mitigation measures if required also forms part of the investigation.

1.3 SCOPE OF STUDY

The following tasks were undertaken during the course of this investigation:

- Collation of data;
- Site walkover inspection;
- Assessment of data;
- Undertake a qualitative assessment of the potential impacts of and constraints to the proposed layout; and
- Production of an Interpretative Report.

1.4 PROPOSED SITE END-USE

It is understood that the proposed development will entail the construction of a single residential dwelling with access off Marypark Road. Proposed layout plans were not available at the time of writing this report.

1.5 LIMITATIONS OF REPORT

Terrenus Land & Water Ltd. has prepared this report for the sole use of the Client, in accordance with generally accepted consulting practice and for the intended purpose as stated in the related contract agreement. No other warranty, expressed or implied, is made as to the professional advice included in this report. Should any third party wish to use or rely upon the contents of the report, written approval must be sought from Terrenus Land & Water Ltd; a charge may be levied against such approval.

To the best of our knowledge, information contained in this report is accurate at the date of issue. There may be conditions pertaining at the site not disclosed by the study, which might have a bearing on the recommendations provided if such conditions were known. We have, however, used our professional judgement in attempting to limit this during the assessment.

It is important therefore that these implications be clearly recognised when the findings of this study are being interpreted. In addition, this should be borne in mind if this report is used without further confirmatory investigation after a significant delay.

2 SITE DETAILS

2.1 DATA SOURCES

The following data sources were consulted during the course of the Flood Risk Assessment:

- Client supplied information;
- SEPA Flood Maps;
- British Geological Survey Interactive Map (Geology of Britain Viewer);
- Publicly available on-line aerial imagery and mapping;
- Publicly available on-line historic maps;
- River Clyde Flood Management Strategy, Hydrodynamic Modelling Report- Halcrow /Fairhurst; and
- Available additional information including site specific topographic survey of salient points.

2.2 SITE LOCATION & DESCRIPTION

The site is centred around National Grid Reference (NGR) NS 37598 73469 and is shown on Figure 1 in the Appendix.

Publicly available local maps and site specific topographic survey information were combined with information obtained during the site walkover to form the basis of the understanding of the site topography and surrounding area.

A site walkover inspection was undertaken on the 17th September 2019 and forms the basis of the following description. A photographic record of the site visit is included in the Appendix to this report.

The site forms an irregular shaped plot of land covering approximately 0.1ha of land to the south of Langbank Road in the west of Langbank, Renfrewshire.

The site is bound to the north by a stonewall along Marypark Road, to the east by a stonewall and fence to the adjacent property of Marypark House, to the west by a dilapidated metal fence and to the south is constrained by a steep rock outcrop.

The site slopes down to the north from the base of the rocky outcrop towards Marypark Road. The area is heavily overgrown with many mature trees and rhododendron bushes (photo 1 and 2). The site forms the eastern extent of Finlaystone House Estate which lies 1km to the west. There is some rubble and metal sheeting present at the site which may be associated with the former building that occupied the site. There is a gap in the stone wall located on the northern boundary that has a wooden fence across and was formerly a gateway.

Due to the dense tree cover at the site it was difficult to carry out a comprehensive topographic survey at the site. The relevant salient points that were able to be determined are shown on Fig 2 included in the Appendix. The topographic survey information together with Ordnance Survey information has been used to provide information on ground levels in the vicinity of the site.

There is a rocky outcrop located on the southern boundary of the site which is approximately 10m high. The ground levels at the top of this outcrop are around 25mOD and at the base are approximately 15mOD. At the southern corner of the site there is a cleft in the cliff face where a watercourse is present discharging from the ground above. At the base of the cliff the watercourse enters an old stone culvert.

The ground surface of the site falls approximately 8m from the base of the cliff face towards Marypark Road which lies at around 6.8mOD in the vicinity of the site. The central part of the site is relatively flat lying where the former building occupied the site.

Marypark Road falls gently to the east and west from the site and lies approximately 2 to 3m above the adjacent A8 dual carriageway. The dual carriageway itself lies at around 4mOD in the vicinity of the site.

A review of on-line historic maps shows that on the first edition Ordnance Survey sheet dated 1858 the site comprises land belonging to Finlaystone House Estate with the eastern boundary identified and the cliff face on the southern boundary of the site. A railway line located to the north of the site.

The 1897 edition records Marypark House being constructed together with Marypark Road. A well is identified at the base of the cliff 75m to the east of the site.

The 1914 edition identifies the boundaries of the site being a separate parcel of land. A watercourse is identified 'rising' 150m south of the site and flowing towards the cliff face where it terminates. A well is recorded adjacent to Marypark House at the base of the cliff.

The 1958 edition records little change however the 1968 edition records an alteration in the layout of the A8 and Marypark Road with a new crossing point beneath the railway line further to the south. A building is shown present on the southern part of the site which is again recorded on the 1971 edition.

The 1977 edition records the building at the site to be no longer present with the adjacent A8 widened into a dual carriageway with little change shown on the most recent 1994 edition.

2.3 SITE NEIGHBOURS

To the south and west the site is bordered by open ground, which in the west comprises woodland belonging to the Finlaystone House Estate. To the north is Marypark Road and an embankment down to the A8 dual carriageway beyond which lies a railway line and the southern banks of the River Clyde estuary. To the east is Marypark House and other dwellings located along Marypark Road.

2.4 GEOLOGICAL SETTING

The superficial deposits are likely to be thin or absent beneath the site due to the steeply sloping nature of the topography of the site.

A southwest to northeast trending geological fault crosses the southern part of the site along the line of the cliff face present in the southern part of the site. North of this fault the bedrock comprises sedimentary units of the Inverclyde Group which are Carboniferous in age. South of the fault there is igneous bedrock, also of the Carboniferous.

2.5 HYDROLOGY AND DRAINAGE

The Ordnance Survey sheet records an unnamed watercourse terminating at the southern boundary of the site which rises some 150m to the south of the site. A well is also indicated behind Marypark House. The watercourse was identified on the Ordnance Survey sheets at the same time as the building of Marypark House; the culvert at the base of the cliff into which the watercourse sinks may have been constructed at this time.

During the site walkover there was no defined channel noted in the land above the cliff face (plate 3), only a boggy area was noted with a change of vegetation approximately 100m south of the site (plate 4). A small amount of water was noted to be flowing down a cleft in the cliff face (plate 5) and entering the culvert located on the southern boundary of the site at the base of the cliff (plate 6). At the location of the culvert there is an old stone trough approximately 900mm wide and 1500mm long (3 foot by 5 foot) surrounding the culvert. The culvert inlet is located in the base of the trough at the northern end and is 230mm in diameter and has an opening on both the vertical and horizontal face (plate 8). The culvert is protected by a metal grill as is the top of the southern wall of the trough and also over the inlet of the culvert.

Immediately downstream and on the west side of the stone trough, there is a low wall approximately 200mm high and the trace of a fenceline (plates 9 and 10). This relict feature appears to follow the original land boundary and extends between the northwest corner of the trough and the existing boundary fence to the neighbouring property. This indicates that the stone trough and culvert are located on and to the east of the site boundary and not as far west as shown on the current Ordnance Survey map. In addition, the line of the watercourse recorded on the Ordnance sheet is not considered representative.

Downstream of the stone trough a 400mm high concrete wall topped with angular cobbles has been more recently constructed to the rear of Marypark House (plate 11). This wall is orientated northwest to southeast and appears to have been constructed to prevent any water entering the rear garden of Marypark House in the event of a blockage of the culvert and overtopping of the stone trough. The gardens of Marypark House generally lie at a lower level than that of the site itself and without this cut off wall overland flow would preferentially flow through the neighbour's garden of Marypark House.

Anecdotal evidence indicates that Scotland Transerv periodically clear out the culvert and surrounding area and a pile of angular gravel was noted adjacent to the culvert during the site walkover (plate 12). During the site walkover large blocks of rock were noted in the base of the cleft which had fallen from the cliff face and a large tree had fallen across the top of the cleft (plate 13).

The outfall of the culvert was not determined during the site walkover however it is considered likely that it is connected with drainage infrastructure within Marypark Road or discharges directly into the River Clyde.

During the site walkover no other seepages were noted along the base of the cliff within the site. The ground surface of the site is dry and firm. Slight seepages were noted issuing from the base of the embankment to the north of Marypark Road issuing onto the lower lying ground on adjacent footpaths (plates 14 and 15).

Along the northern edge of Marypark Road, small channels at the sides of the road have been made (plates 16 and 17) to assist the drainage of Marypark Road. Limited drainage gulleys were noted along Marypark Road with a gully located in front of Woodside View appearing to have been recently maintained (plate 18).

Limited drainage gulleys were noted along the southern edge of the A8 dual carriageway, however several gulleys were noted adjacent to the central reservation located along the low point of the roadway beneath the railway bridge.

2.5.1 SEPA Flood Map

The SEPA flood map does not show any likelihood of fluvial or coastal flooding within the site, however, surface water and coastal flooding potential is noted over the A8 to the north of the site. Furthermore, the minor watercourse to the south of the site has a catchment which is too small to be assessed fluvially by SEPA and is shown as a surface water flood potential along the eastern boundary of the site.

SEPA makes the following statement about the Flood Map:

“The river flood map was developed using a nationally consistent approach to producing flood hazard information, such as depth of water and speed of flow arising from river flooding. It is based on a two-dimensional flood modelling method applied across Scotland to all catchments greater than 3km². The river flood map includes hydraulic structures and defences such as bridges, culverts and flood storage areas where appropriate information was available.

and

The surface water flood map combines information on rainfall and sewer model outputs. It incorporates data from a national surface water study, a regional surface water study with increased resolution in selected areas and a Scottish Water sewer flooding assessment."

The flood map should be treated with caution and SEPA makes the following general comment:

"The flood maps are designed to provide a community level assessment of flooding and its impacts. They model flooding at a national scale. As with any approach of this scale, there are limitations and assumptions made to enable modelling and a consistent approach to be applied across Scotland. Limitations arise from the data used to create the maps, the modelling techniques applied and the ability to incorporate datasets from local studies into a national approach."

Additional background details of the SEPA flood map can be found on the SEPA website:
http://www.sepa.org.uk/flooding/flood_maps.aspx

2.6 RIVER CLYDE FLOOD MODELLING

The River Clyde Flood Management Strategy- Hydrodynamic Modelling Report – Flood Defence Levels for Design prepared by Halcrow and Fairhurst predicts water levels at ISIS cross sections that are taken along the route of the River Clyde. The relevant cross section contained within the report (SEC_117) is located close to the eastern boundary of the site. At this location the 1 in 200 year predicted water levels is 4.26mOD. The 1 in 200 year predicted water levels identify the Functional Flood Plain and the design level given in the report is + 20% Climate change and +0.7m freeboard. This gives a design level of 5.27mOD in this area of the River Clyde.

2.7 GROUNDWATER

Local and Regional groundwater flow will be in line with the general landform to the north towards the River Clyde Estuary.

Local groundwater will be perched and is likely to lie at the interface of the superficial deposits and the bedrock.

A review of the SEPA River Basin Management Plan Interactive Map shows the regional groundwater body immediately to the south of the site to be the Langbank Groundwater Body and beneath the site itself to be the Greenock Groundwater Body. Groundwater flows and levels and groundwater quality in both these bodies are noted to be Good, with an overall classification of Good.

3 FLOOD RISK ASSESSMENT

3.1 GENERAL

Flooding occurs when the amount of water arriving on land exceeds the capacity of the land to discharge that water (by infiltration, overland flow, groundwater rise or a failed drainage system). It can occur on any level or near-level areas of land but the main concern in inland areas is with land adjacent to watercourses (fluvial flooding) and the possibility of overland flow (surface water flooding).

3.2 FLUVIAL FLOOD RISK

The site walkover has confirmed that the watercourse identified on the Ordnance Survey map is not a clearly defined channel and does not exist in the location shown on the map. In the vicinity of the southern extent of the site there is a cleft in the rockface that forms a conduit for water to flow from the higher ground above the site to the south over the rock face. At the base of this cleft there is a stone trough that collects the water and it is then culverted down the hillside. The line and extent of this culvert is not known. This culvert is protected by a metal grill to prevent blockages and it is understood that debris is periodically removed from the stone trough by Scotland Transerv.

The minor watercourse has a catchment which is too small to be assessed fluvially by SEPA and is shown as a surface water flood potential along the eastern boundary of the site.

A review of the Flood Estimation Handbook Web Service (FEH13) indicates that the catchment for the watercourse located to the south of the site is less than 0.5km² and is therefore not recorded. Following the site walkover and a review of available topographic information and utilising the overland flow pathways, the catchment was determined. The extent of this catchment is interpreted to be 0.18km² and is shown on Fig 4 included in the Appendix. An outline estimation for the minor watercourse indicates a peak flow of between 400l/s and 700l/s. The watercourse culvert is likely to be steeply sloping and has been calculated to have a capacity in the order of 200l/s and is thus undersized for the potential 200 year storm event.

During the design storm overland flow will occur at the culvert in the south of the site, leading to a **Medium to High** risk of fluvial flooding at the site. Consideration of the overland flow route through the site is considered in Section 3.4 below.

3.3 SURFACE WATER

A review of the SEPA Flood Map indicates a risk of surface water flooding along the A8 and also down the eastern boundary of the site.

Potential surface water flow was assessed by utilising available topographic information, supplemented by the site walkover. The interpreted flow pathways are shown on Fig 3 included in the Appendix which indicates that surface water runoff within the site will generally be to the north towards Marypark Road, thereafter, will be to the west and east along Marypark Road and to the north down the embankment towards the A8 dual carriageway.

The local landform indicates that the risk of surface water flooding within the site is **Low to Medium** according to Scottish Planning Policy (SPP).

3.4 LOCAL DRAINAGE

During the site walkover, limited road drainage gullies were noted to be present in the vicinity of the site and rudimental drainage channels had been cut along the northern edge of Marypark Road. In addition, seepages were noted to be issuing from the embankment in front of the site down towards the A8.

A failure of the local road drainage system may lead to flood routing along Marypark Road and the A8 but the local topography indicates that any overland flow will be to the east and west and away from the site. Such a failure in road drainage will not impact the site and the site is considered to be at **Little or No Risk** of flooding from a failure in the local road drainage infrastructure.

A failure of the watercourse culvert in the south of the site will lead to overtopping of the stone trough which would have historically flowed to the east and through the gardens of Marypark House. As noted in Section 2.5 above a low wall has been constructed to redirect any overland flow to the southwest and to the west of the eastern site boundary, through the site and onto Marypark Road.

Given the current modification to the overland flow pathway the risk to the site from a failure of this culvert is considered to be **Medium to High**.

3.5 COASTAL FLOODING

A review of the SEPA flood map shows that the site lies in close proximity to the flood plain of the River Clyde.

The River Clyde Flood Management Strategy recommends a design level of 5.27mOD in this area of the River Clyde. Marypark Road at the site entrance lies at 6.8mOD with the site itself lying above this level. The site therefore lies in excess of 2.5m above the peak 1 in 200 year water level.

Whilst it is noted that the RCFMS hydraulic model is currently being updated which may result in alterations to the estimated peak water level, the site entails a significant freeboard so that coastal flood risk is assessed to be **Little to None** according to Scottish Planning Policy (SPP).

3.6 GROUNDWATER RISE

The underlying superficial deposits are likely to be thin or absent beneath the site and shallow groundwater may be present. No springs or seepages were noted along the base of the rockface.

The local landform indicates that there is **Little to No Risk** of isolated ground water rise within the site.

4 DISCUSSION AND RECOMMENDATIONS

4.1 GENERAL CONCLUSIONS

For new developments, the acceptable risk of flooding should take into account various factors including risk to human health and the direct and indirect financial losses relating to flooding.

For the proposed re-development of the site, the following general conclusions can be made:

- The site is at Medium to High risk of flooding from fluvial sources.
- There is Low to Medium risk of flooding as a result of surface water.
- There is Medium to High risk of flooding as a result of a failure in drainage infrastructure.
- The site is at Little or No risk from coastal flooding.
- There is Little or No risk of isolated groundwater rise occurring at the site.
- Dry pedestrian access and egress is maintained throughout the design storm event from Marypark Road.
- Emergency vehicular access along Marypark Road, should be possible throughout the design storm event.

4.2 DEVELOPMENT AND POSSIBLE MITIGATION MEASURES

Consideration should be given in the proposed layout to include a maintenance wayleave along the eastern boundary of the site in order to enable the existing maintenance of the culvert to continue and maintain the existing overland flow route. Such a wayleave should be in the order of 2m wide and at least 0.5m deep. The bed should be vegetated in order to mimic the existing slope and prevent additional sheet flow.

It is recommended that the existing ground level be raised within the central part of the site to mimic the ground levels along the eastern boundary. Final Floor Levels should be set at least 200mm above the final ground level.

Discussions should be held at the earliest opportunity with Scotland Transerv in order to confirm the responsibilities for maintaining the culvert.

The possibility of shallow perched groundwater below the site should be considered as part of the development.

4.3 EFFECTS ON SITE NEIGHBOURS

The proposed development will have a neutral impact on any flooding and will not increase the flood risk to any site neighbours.

4.4 OVERALL FLOOD RISK ASSESSMENT CONCLUSION

The Scottish Planning Policy notes that new developments should be free from significant flood risk from any source and that such development should not:

- materially increase the probability of flooding elsewhere;
- add to the area of land which requires protection by flood prevention measures;
- affect the ability of the functional flood plain to attenuate the effects of flooding by storing flood water;
- interfere detrimentally with the flow of water in the flood plain; or

- compromise options for future river management.

With the proposed wayleave constructed to maintain the existing overland flow pathways and the land raising at the site the proposed development will be at Little or No risk from flooding according to the SPP flood framework.

Dry emergency pedestrian and emergency vehicular access is available to the site throughout the design storm event.

It is concluded that the proposed development is feasible and is in broad accordance with the principles of the Scottish Planning Policy.

-oo000oo-

Terrenus Land & Water Ltd wishes to thank Arthur MacMillan for the opportunity to prepare this report and trust that it meets with your requirements. However, should you wish to discuss the contents of the report then please do not hesitate to contact the undersigned.

**Signed for and on behalf of
Terrenus Land & Water Ltd**

William Hume

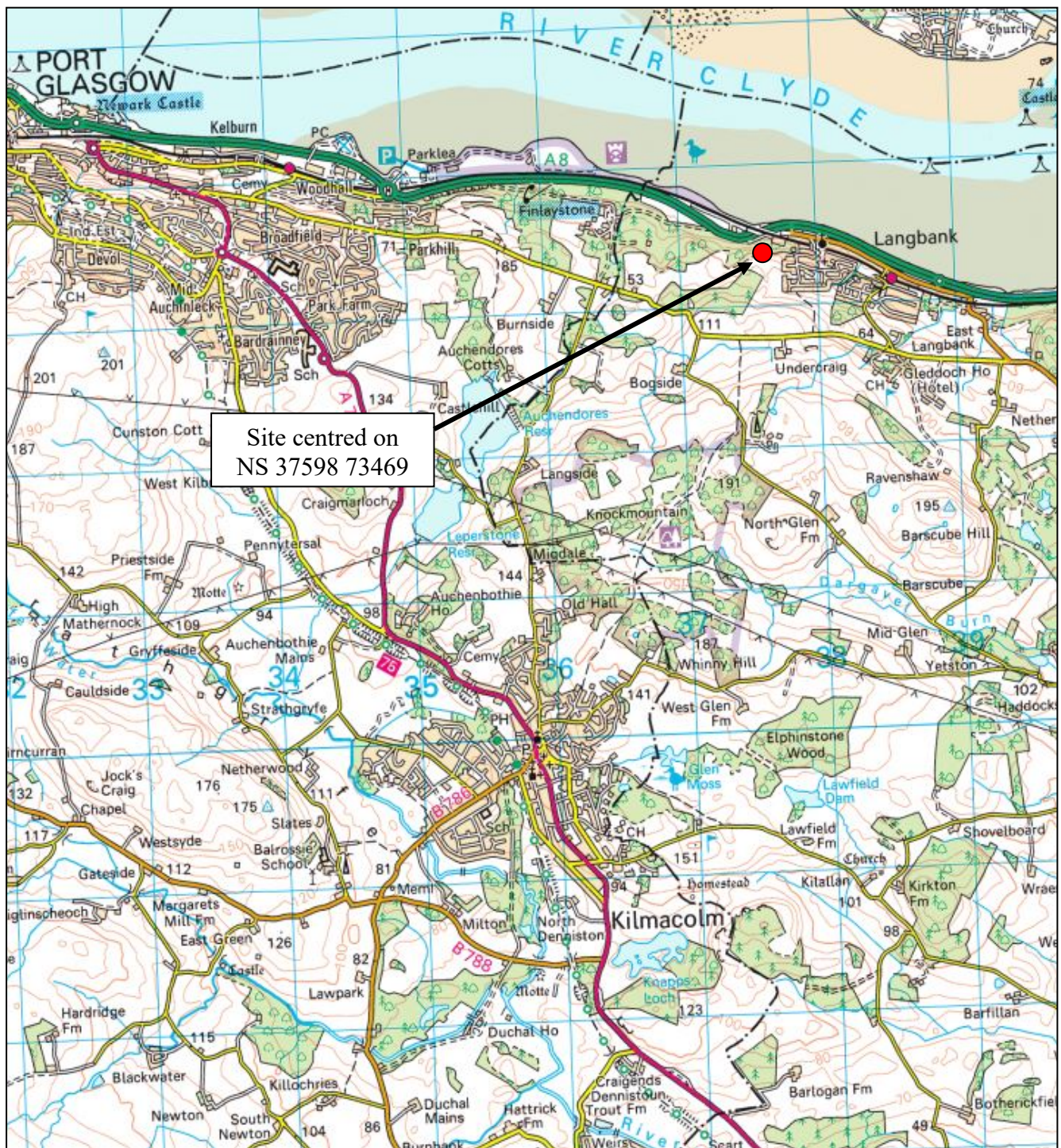
Director

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FLOOD RISK ASSESSMENT
FOR
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APPENDIX

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FIGURES




©2019 Microsoft. Image courtesy of Ordnance Survey

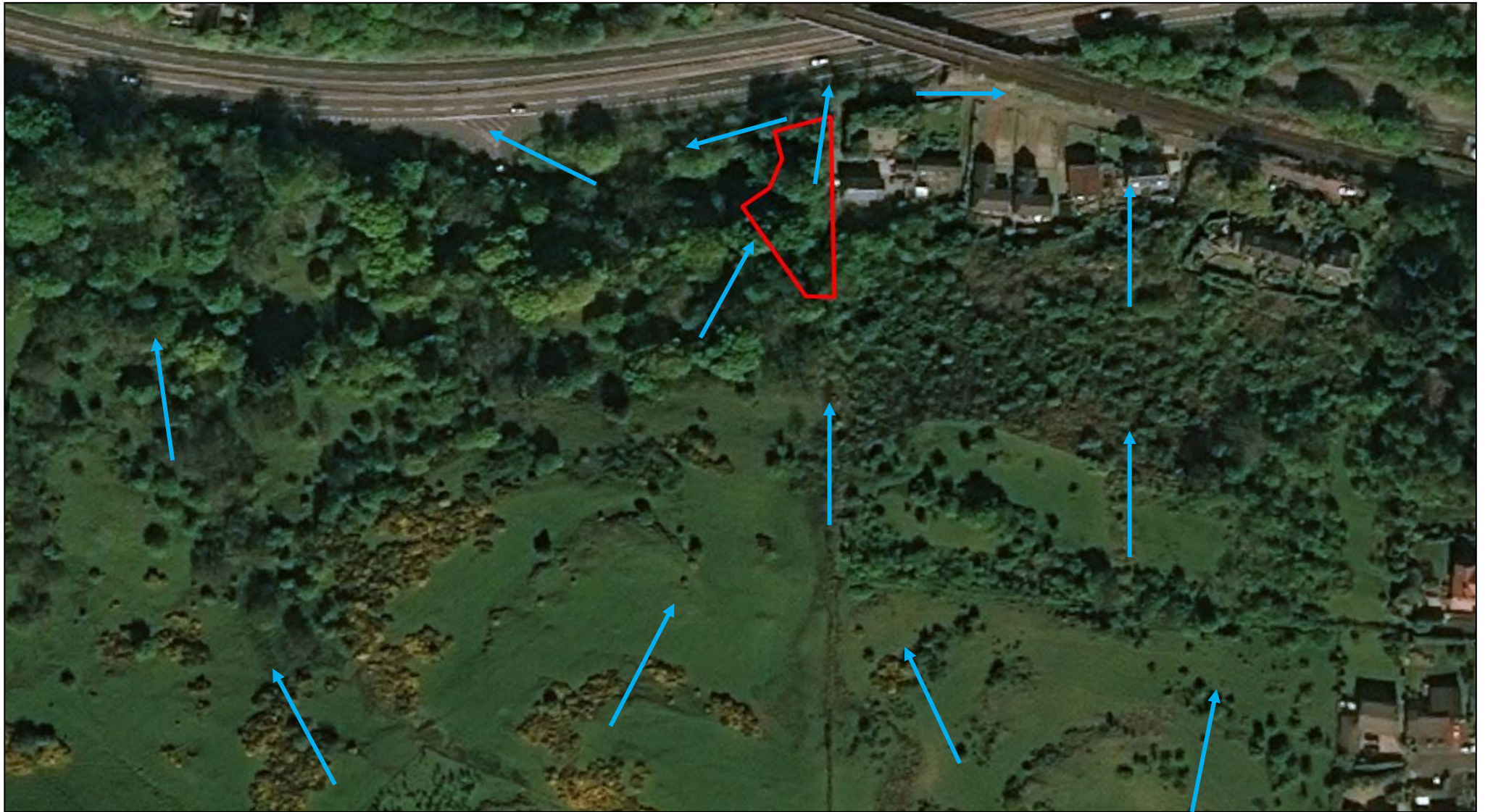
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Project: Marypark Road, Langbank	Site Location Plan	
Date:19/09/2019	Figure 1	
Grid Ref: NS 37598 73469		
SCALE: N.T.S.		
		DO NOT SCALE



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United Kingdom

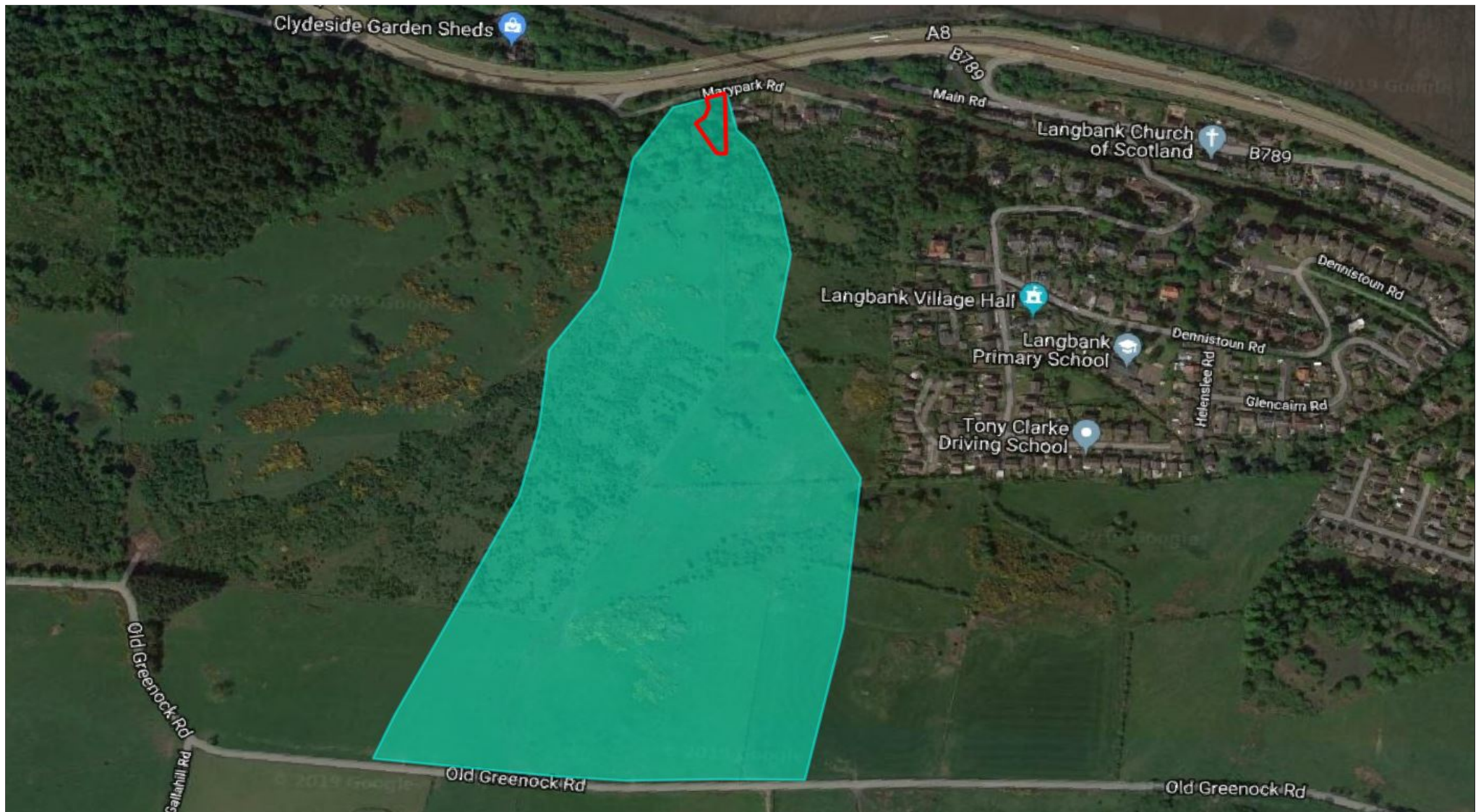
Client: Arthur MacMillan	Figure Title:	International House, Hamilton International Park, Stanley Boulevard, Hamilton, G72 0BN www.terrenus.co.uk	
Project: Marypark Road, Langbank	Additional Survey Works		
Date: 18/09/2019	Figure 2		
Grid Ref: NS 37598 73469			
SCALE: N.T.S.		DO NOT SCALE	



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United Kingdom

Client: Arthur MacMillan	Figure Title: Overland Flow Pathways	International House, Hamilton International Park, Stanley Boulevard, Hamilton, G72 0BN www.terrenus.co.uk	
Project: Marypark Road, Langbank			
Date: 18/09/2019	Figure 3		
Grid Ref: NS 37598 73469			
SCALE: N.T.S.			
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United Kingdom

Client: Arthur MacMillan	Figure Title: Catchment Analysis	International House, Hamilton International Park, Stanley Boulevard, Hamilton, G72 0BN www.terrenus.co.uk	
Project: Marypark Road, Langbank			
Date: 18/09/2019			
Grid Ref: NS 37598 73469	Figure 4		
SCALE: N.T.S.			
DO NOT SCALE			

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PHOTOGRAPHIC PLATES

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Plate 1 – General view of site looking east from base of cliff.



Plate 2 – General view of site looking north from base of cliff.

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Plate 3 – General view looking north towards site.



Plate 4 – Boggy area to south of site above cliff.

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Plate 5 – View south of cleft in cliff face.



Plate 6– Culvert at base of cliff.

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Plate 7 – Culvert at base of cliff looking north.



Plate 8 – Looking down on culvert located at northern end of stone trough.

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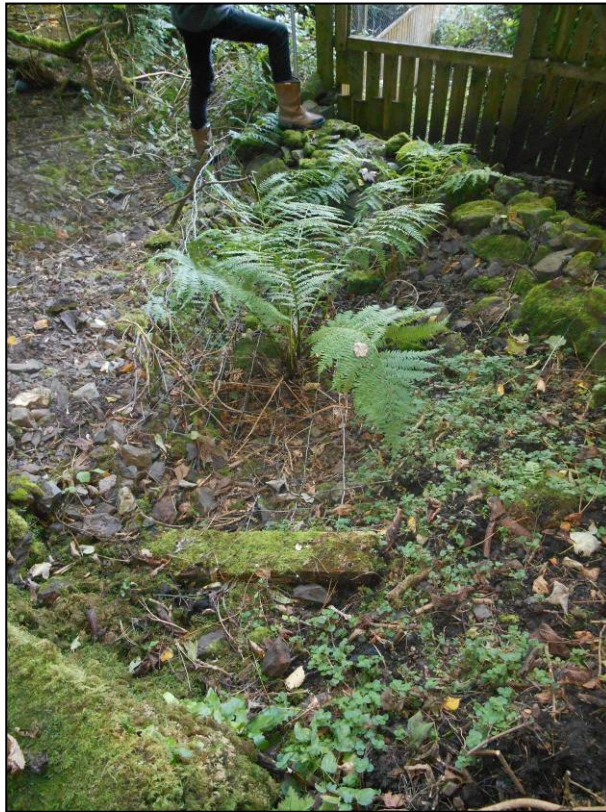


Plate 9 – Looking north along relict fenceline located between stone trough and boundary with Marypark House.



Plate 10 – Relict stonewall and fenceline.

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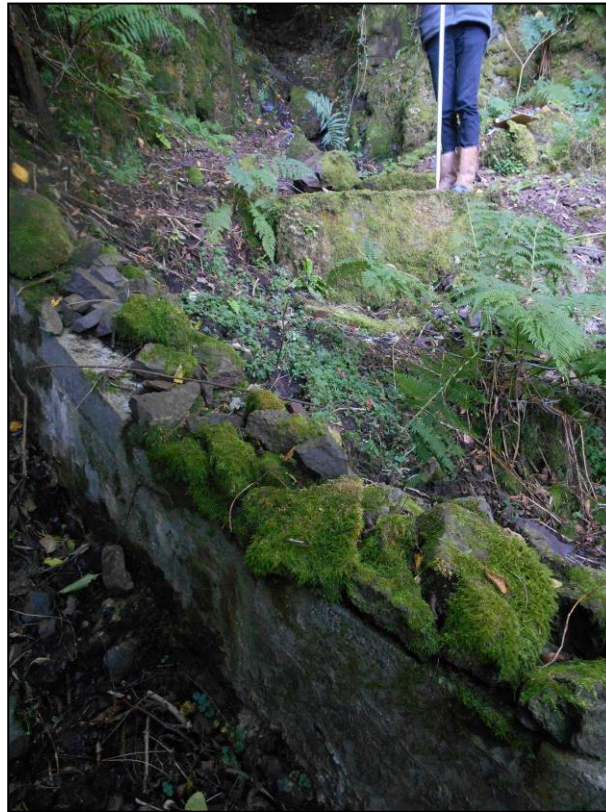


Plate 11 – Concrete wall constructed to rear of Marypark House to deflect water flow in case of blockage.



Plate 12 – Mound of stones assumed to be removed during clearance of culvert.

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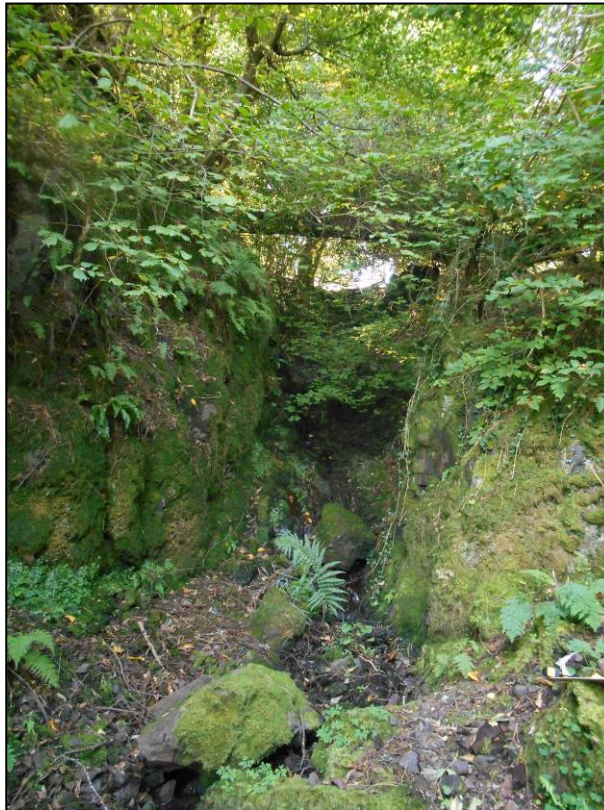


Plate 13 – Fallen rocks and tree in vicinity of cleft.



Plate 14 – Seepage from embankment onto footpath adjacent to A8.

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Plate 15 – Seepage from embankment onto footpath adjacent to A8.



Plate 16– Pathway cut into northern side of Marypark Road to assist drainage down the embankment.

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Plate 17– Pathway cut into northern side of Marypark Road to assist drainage down the embankment.



Plate 18 – Area cleared around manhole located in Marypark Road.

Tree Survey

BS 5837:2012 *Trees in Relation to Design,
Demolition and Construction-Recommendations*

Land to the South of Marypark Road Finlaystone Estate

29th January 2022



Prepared for
Finlaystone Estate

Prepared by
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Principle Arboricultural Consultant
Ayrshire Tree Surgeons Ltd

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Introduction

Finlaystone Estate instructed the Arboricultural survey conducted on 25th January 2022 for a small plot of land to the south of Marypark Road, Finlaystone Estate. Trees were assessed in accordance with BS5837:2012 *Trees in Relation to Design, Demolition and Construction-Recommendations*. Christopher Calvey is an independent arboriculturist and the report presents an impartial assessment of the tree stock.

The report is based on visual inspections conducted from ground level for the purpose of categorizing trees in relation to design, demolition and construction and does not provide reliable data on tree safety. This report is not, nor should it be taken to be, a full or thorough assessment of the health and safety of trees on or adjacent to the site, and therefore it is recommended that detailed tree inspections of retained trees are undertaken on a regular basis with the express purpose of complying with the landowner's duty of care and satisfying health and safety requirements. Please refer to Report Limitations on pages 10-11. The authority of this report ceases within one year from the date of the survey or following severe weather occurrences which supersede the current validity of the report.

Survey Findings

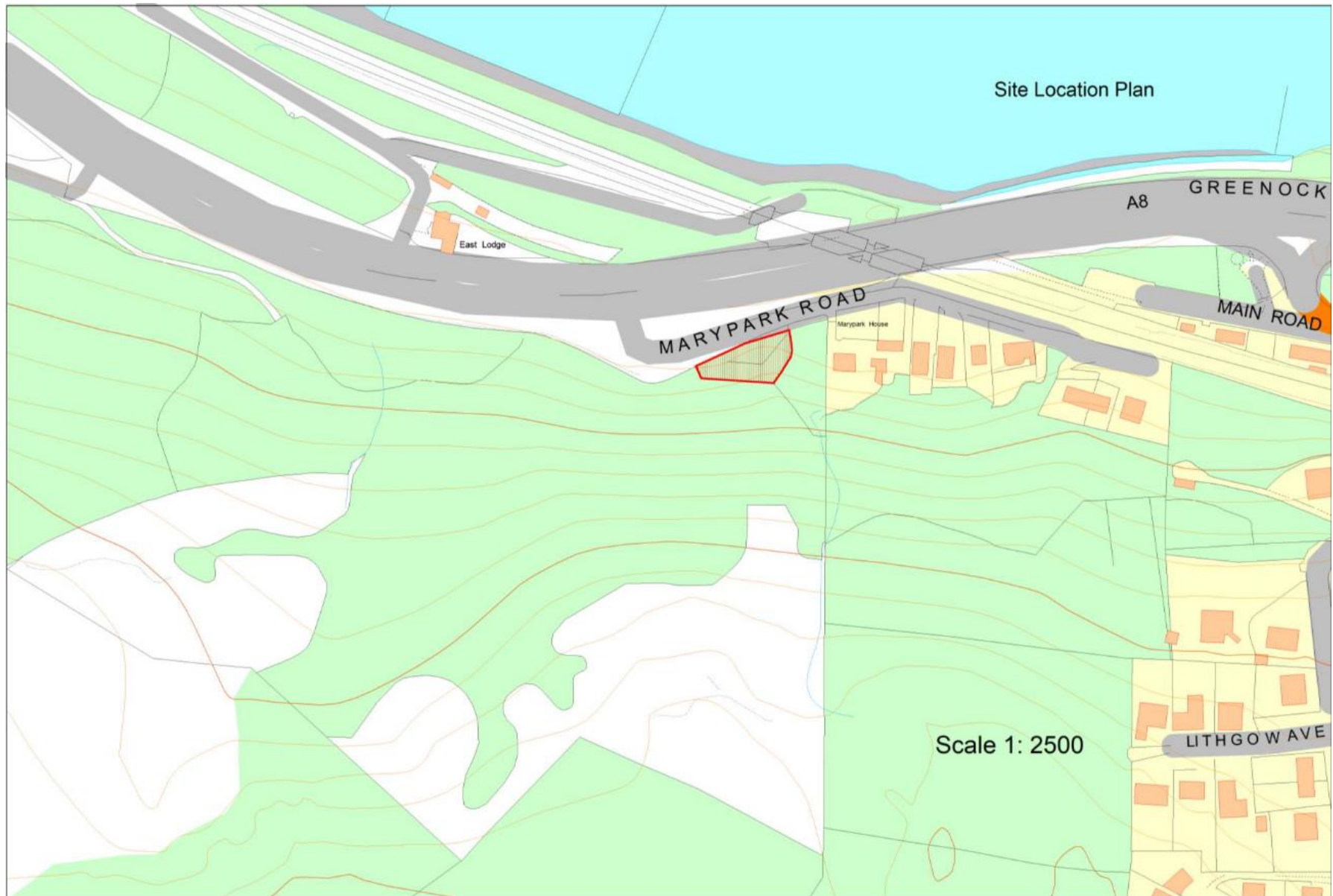
The survey area is within an unused corner of the estate and trees are entirely self-seeded specimens surviving amongst areas of invasive rhododendron. The plot falls within the SINC (non-statutory 'Site of Importance for Nature Conservation') which covers the wider Estate. Due to natural degradation and colonisation by non-native invasive species the biological value of the plot is very low.

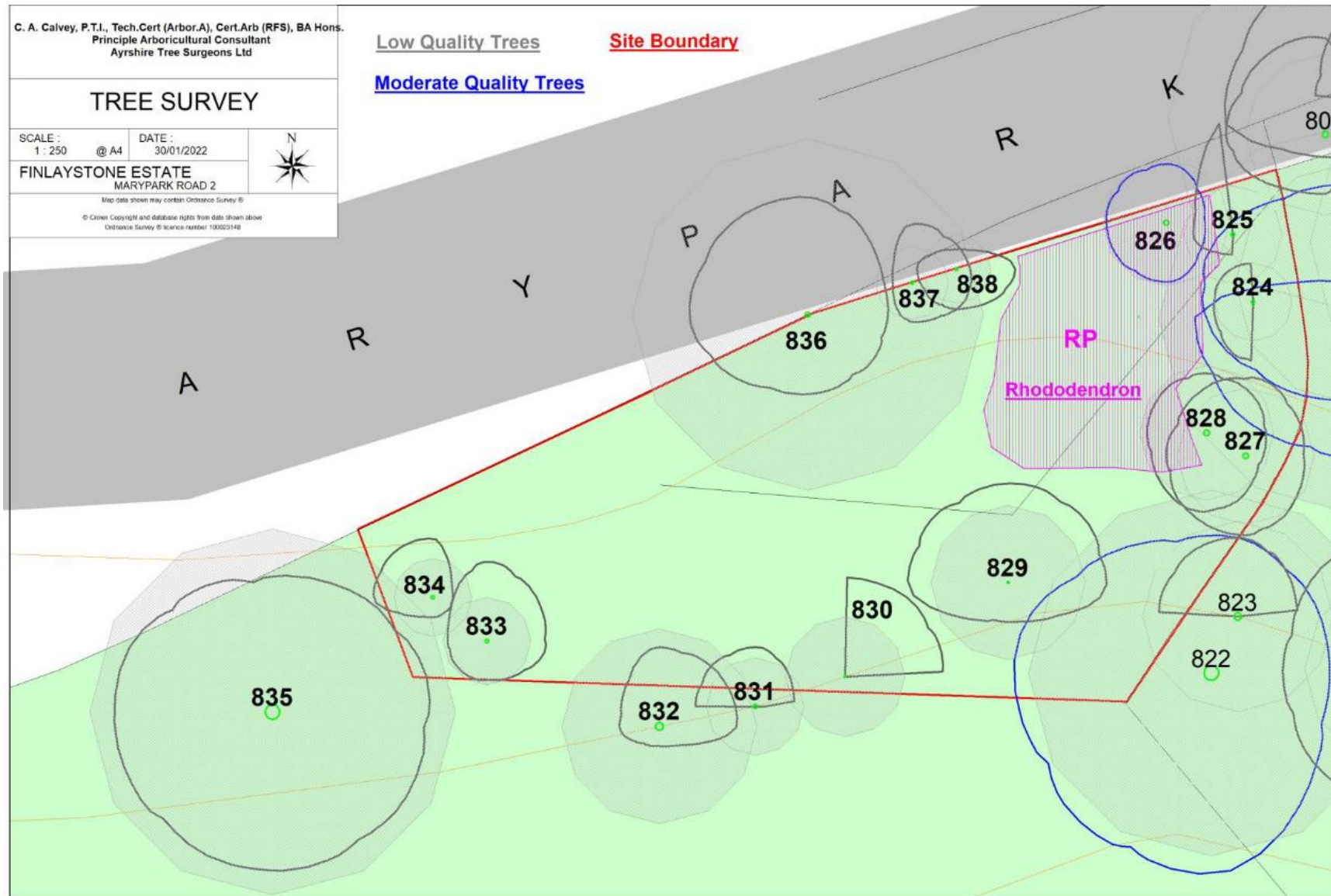
There are eleven 'C' low quality trees within the site boundary and one 'B' moderate quality young cherry tree. Trees neighbouring the site to the east and south are included in the tree survey to measure their root protection areas in proximity to the site boundary. Trees 836, 837 and 838 will cause structural damage to the stone boundary wall if left in situ and recommended for removal irrespective of any future proposals for the site. Rhododendron ponticum is recommended for eradication. Mature Ash tree 835 is at stage 3 of Chalara Ash dieback disease and in terminal decline.

Using the Report

Trees are identified by a numbered metal tree tag attached to the tree which corresponds to the site plan and tree schedule. Tree maps show the position of trees, crown spread and maximum rooting zone illustrated by grey dodecagons. The crown spread of a tree is identified by a coloured circle and illustrates:

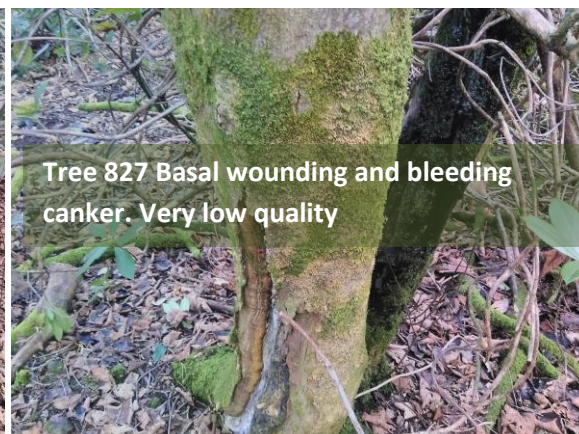
1. Green for 'A' (High quality trees) – *not applicable*
2. **Mid blue for 'B'** (Moderate quality trees)
3. **Grey for 'C'** (Low quality trees)
4. **Dark Red for 'U'** (trees 'Unsuitable' for retention in the current land use).



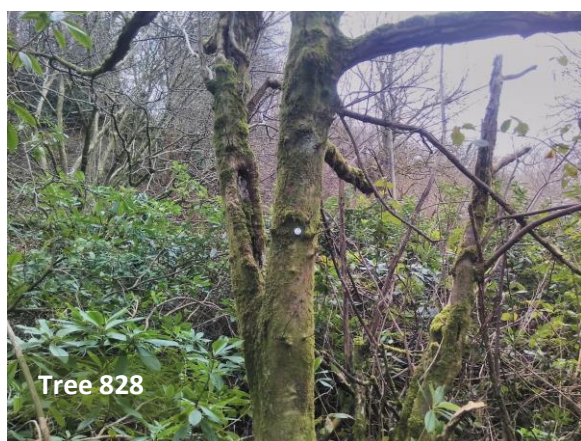




Tree 824 Suppressed with extensive bark



Tree 827 Basal wounding and bleeding canker. Very low quality



Tree 828



Hazel Shrub 829



Trees 830 -832 south boundary



Tree 836 threatens wall

Easting Northing	Tree ID	Common Name <i>Latin Name</i>	Age Class	Height (m)	Crown Height (m)	Nos. of Stems	Stem Diam. (mm)	Stem 2 (mm)	Stem 3 (mm)	Crown Spread N (m)	Cr. Sp. E (m)	Cr. Sp. S (m)	Cr. Sp. W (m)	Cond. Class	S.U.L.E.	BS5837 Sub. Cat.	BS5837 QUALITY
237586.8 673468	824	Sycamore <i>Acer pseudoplatanus</i> <i>Suppressed with extensive bark wounds.</i>	Young	7	3	1	160			2	0	3	2	Poor	10 to 20 yrs	1	C
237585.7 673471.4	825	Wych Elm <i>Ulmus glabra</i> <i>Suckering elm stem suppressed under mature tree.</i>	Young	11	4	1	200			6	0	1	2	Fair	10 to 20 yrs	1	C
237582.4 673472	826	Wild Cherry <i>Prunus avium</i> <i>Potential for contributing to the site.</i>	Semi-mature	12	3	1	260			3	2	3	3	Good	20 to 40 yrs	1	B
237581 673467.3	RP	Rhododendron <i>Rhododendron Ponticum</i> <i>Large area of rhododendron ponticum recommended for eradication irrespective of design proposals.</i>														1	U
237586.4 673460.3	827	Sycamore <i>Acer pseudoplatanus</i> <i>Basal wounding and bleeding canker. Very low quality specimen.</i>	Young	9	6	2	280	160		4	3	4	4	Poor	10 to 20 yrs	1	C
237584.4 673461.4	828	Sycamore <i>Acer pseudoplatanus</i> <i>Decay of primary scaffold south and crown suppressed.</i>	Young	6	3	1	275			3	3	4	3	Poor	10 to 20 yrs	1	C
237574.4 673453.9	829	Turkish Hazel <i>Corylus colurna</i> <i>Hazel shrub. Telephone wires passing through crown.</i>	Mature	7	1	10	100			5	5	2	5	Fair	10 to 20 yrs	1	C

Easting Northing	Tree ID	Common Name <i>Latin Name</i>	Age Class	Height (m)	Crown Height (m)	Nos. of Stems	Stem Diam. (mm)	Stem 2 (mm)	Stem 3 (mm)	Crown Spread N (m)	Cr. Sp. E (m)	Cr. Sp. S (m)	Cr. Sp. W (m)	Cond. Class	S.U.L.E.	BS5837 Sub. Cat.	BS5837 QUALITY
237566.2 673449.1	830	Turkish Hazel <i>Corylus colurna</i> <i>Growing on bank above site</i>	Mature	7	1	6	100			5	5	0	0	Fair	10 to 20 yrs	1	C
237561.7 673447.6	831	Common Beech <i>Fagus sylvatica</i> <i>Deep bark wounding. Growing on edge of steep bank.</i>	Young	10	1	1	200			3	2	0	3	Poor	10 to 20 yrs	1	C
237556.8 673446.6	832	Goat Willow <i>Salix caprea</i> <i>Leaning acutely north from steep bank.</i>	Semi-mature	11	6	1	400			4	4	1	2	Poor	10 to 20 yrs	1	C
237548.2 673450.9	833	Norway Maple <i>Acer platanoides</i> <i>Leaning acutely east with extensive bark wounding and decay well established.</i>	Young	6	2	1	180			4	3	2	2	Poor	10 to 20 yrs	1	C
237545.4 673453.1	834	Sycamore <i>Acer pseudoplatanus</i> <i>Leaning acutely north east with bark wounds.</i>	Young	6	2	1	160			3	1	1	3	Poor	10 to 20 yrs	1	C
237537.4 673447.4	835	Common Ash <i>Fraxinus excelsior</i> <i>Chalara ash dieback disease established.</i>	Mature	18	4	1	750			7	8	8	8	Poor	10 to 20 yrs	1	C

Easting Northing	Tree ID	Common Name <i>Latin Name</i>	Age Class	Height (m)	Crown Height (m)	Nos. of Stems	Stem Diam. (mm)	Stem 2 (mm)	Stem 3 (mm)	Crown Spread N (m)	Cr. Sp. E (m)	Cr. Sp. S (m)	Cr. Sp. W (m)	Cond. Class	S.U.L.E.	BS5837 Sub. Cat.	BS5837 QUALITY
237564.3 673467.4	836	Goat Willow <i>Salix caprea</i> <i>Growing close to stone wall and will cause structural damage if left in situ.</i>	Semi-mature	15	2	9	240	225	200	6	4	4	6	Fair	10 to 20 yrs	1	C
237569.6 673469	837	Goat Willow <i>Salix caprea</i> <i>Growing from base of stone wall and will cause structural damage if left in situ.</i>	Young	7	5	1	150			3	3	2	1	Fair	10 to 20 yrs	1	C
237571.8 673469.7	838	Sycamore <i>Acer pseudoplatanus</i> <i>Growing from base of stone wall and will cause structural damage if left in situ. Bark wounds throughout.</i>	Young	7	2	1	140			1	3	2	2	Poor	10 to 20 yrs	1	C

Tree Survey Assessment Criteria

The tree survey is undertaken in accordance with a range of criteria listed in BS 5837:2012 *Trees in Relation to Design, Demolition and Construction-Recommendations*.

Quality Category

Category A: (HIGH quality, trees with particular merit with an estimated remaining life expectancy of at least 40 years).

Category B: (MODERATE quality with an estimated remaining life expectancy of at least 20 years).

Category C: (LOW quality with an estimated remaining life expectancy of at least 10 years).

Category U: (UNSUITABLE quality, in such condition that they cannot realistically be retained as living trees in the context of the current land use. Life expectancy less than 10 years).

Sub Categories: The BS 5837 subcategories: 1 - mainly Arboricultural Qualities, 2 - mainly landscape qualities, 3 - Cultural qualities.

Tree Condition

Defects or diseases and relevant observations have been recorded under condition of Crown, Stem, Basal area and Physiological condition. It is important to appreciate that in BS5837 criteria only basic condition categories are recorded and the inspection process does not constitute a tree safety survey.

The overall condition of a tree has been referred to as one of the following:

- Good: A sound tree needing little if any attention at the time of survey.
- Fair: A tree with minor but rectifiable defects or in the early stages of stress, from which it may recover. The tree may have structural weaknesses which might result in failure.
- Poor: A tree with clear and obvious major structural and or physiological defects or stressed such that it would be expensive to retain and necessarily requires to be inspected on a regular basis for safety purposes.
- Decline: Irreversible with death inevitable in the short term.
- Dead. To be removed unless stated to the contrary.

Age Class

Age Class and Life Expectancy are clearly related but the distinction is necessary due to the variation among tree species. Knowledge of the longevity of individual species has been applied to determine the relative age and life expectancy categories in which trees are placed.

Age class is classified as:

- Y: Young trees up to 15 years of age.
- SM: Semi-mature trees less than 1/3rd life expectancy.
- EM: Early Mature trees between 1/3rd and ½ of life expectancy.
- M: Mature trees between ½ and 2/3rd of life expectancy.
- LM: Late mature - A senescent or moribund specimen with a limited safe useful life expectancy.
- V: Veteran status – a tree of significant age and character such that even in poor condition the tree has a value for retention for arboricultural or ecological reasons.

Safe Useful Life Expectancy (SULE)

The survey schedule identifies a Safe Useful Life Expectancy (SULE) for each tree. This is a subjective assessment of the number of years that the tree can be expected to survive without deteriorating to the extent that safety is compromised. The estimated remaining contribution is given in ranges of years (<10, 10 to 20, 20 to 40, >40).

It is important to note that SULE does not in any way suggest that regular inspection and remedial work can be ignored. SULE does not take into account routine management that will be required to deal with minor structural or cultural problems, or damage that may arise from climatic or other physical intervention. The SULE value given for each tree reflects the following opinion based on current tree condition and environmental considerations:

<10 years. The tree has very limited prospects, due to terminal decline or major structural problems. Its removal should be planned within the next 10 years, unless immediate removal is recommended for safety reasons.

10-20 years. The tree has obvious structural or physiological problems that cannot be rectified, and decline is likely to continue. Removal or major tree surgery work may be necessary, or the species is approaching its normal life expectancy and decline due to senescence can be expected within this timeframe.

20-40 years. Relatively minor defects may exist that are likely to increase safety risks or general tree health over a longer period of time. At this stage it is not possible to fully predict the impact of such defects. Or the species is approaching its normal life expectancy and due to senescence decline can be expected within this timeframe.

>40. There is currently no health or structural problems evident, and the tree can be expected to survive safely for 40 or more years.

Report limitations

1. The survey is only concerned with the arboriculture aspects of the site.
2. The report is based on visual inspections conducted from ground level with the purpose of categorising trees in relation to design, demolition and construction and does not provide reliable data on tree safety. This report is not, nor should it be taken to be, a full or thorough assessment of the health and safety of trees on or adjacent to the site, and therefore it is recommended that detailed tree inspections of retained trees are undertaken on a regular basis with the express purpose of complying with the landowner's duty of care and satisfying health and safety requirements.
3. The statements made in this report do not take account of the effects of extremes of climate, vandalism, or accident, whether physical, chemical or fire.
4. The authority of this report ceases within one year from the date of the survey or when any site conditions change, soil levels are altered near trees, tree work undertaken, or following severe weather occurrences which supersede the current validity of the report.
5. The validity, accuracy and findings of this report will be directly related to the accuracy of the information made available prior to and during the inspection process. No checking of independent third-party data will be undertaken.
6. Any observations that are made in regard to the condition of built structures and hydrology are from a laypersons view. The legal property on which the trees stand is not assessed.
7. The report contains Visual Tree Inspections undertaken from ground level. Visual inspections relate only to those parts of the tree which are visible. Roots are not inspected and during summer when trees are in leaf parts of the canopy may not be visible. Where a tree or parts of a tree could not be inspected due to epicormic growth, ivy or restricted access, liability is not accepted. Only the visible pathogens are recorded; this does not confirm the absence of other pathogens but that no fungal fruiting bodies, or other signs, were visible at the time of the survey.

Ayrshire Tree Surgeons cannot accept any liability in connection with the following:

- I. A tree which has not been subject to a full and thorough inspection.
- II. For any part of a tree that is not visible from the ground near the tree.
- III. Where excavations have taken place within the rooting area of a tree.
- IV. Branch or limb failure resulting from conditions associated with Summer Branch Drop.
- V. The effect of extreme weather events, climate, vandalism or accident, whether physical, chemical or fire.

- VI. Where tree surgery work is not carried out in accordance with current good practice
8. Felling licenses are the responsibility of the tree owner. The Forestry Commission controls tree felling by issuing felling licences. In any calendar quarter, you may fell up to 5 cubic metres without a licence if no more than two cubic metres are sold. Timber volumes are not assessed.
 9. Planning restrictions applying to tree works remain the responsibility of the tree owners.
 10. No failsafe guarantees can be given regarding tree safety because the lightweight construction principles of nature dictate a natural failure rate of intact trees. Trees are living organisms and can decline in health rapidly due to biotic and abiotic influences. Therefore, failure of intact trees can never be ruled out due to the laws and forces of nature.
 11. This report has been prepared exclusively by the Ayrshire Tree Surgeons Ltd for the 'Client' and no responsibility can be accepted for actions taken by any third party arising from their interpretation of the information contained in this document. No other party may rely on the report and if they do, then they rely upon it at their own risk.



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**Ecological Constraints Survey
& Aerial Tree Survey**

Finlaystone, Langbank

For

Arthur MacMillan



FINAL

11th January 2022




www.wildsurveys.co.uk

St James Business Centre, Linwood Road, Paisley, PA3 3AT

Quality Management

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Executive Summary

Wild Surveys Ltd was commissioned by Author MacMillan to undertake an ecological constraints survey and desk study at Finlaystone, Marypark Road (National Grid reference NS3759273466). The aim of the survey was to describe the broad habitats on site and to identify any potential ecological constraints within or adjacent to the survey area and provide mitigation and recommendations for further survey as appropriate in order to inform planning prior to the development of residential houses on the site.

A desk study was undertaken to review information available within the public domain. Publicly available databases, local wildlife groups and our own internal records were consulted for historical evidence of protected species in and around the site. In addition, a walkover survey was carried out on 11th January 2022 by experienced ecologists to identify the broad habitat types present as well as any field signs of protected or notable species. An aerial tree survey was then carried out on the 25th January 2022 to inspect suitable features for roosting bats within trees on the site.

From the desk study it was found that there are four Sites of Importance for Nature Conservation found within 2km of the site boundary. The site lies on the extreme edge of The Finlaystone Estate, immediately adjacent to the village of Langbank. There are 15 woodlands listed within the Ancient Woodland Inventory which lie within 2km of the site boundary. The closest ancient woodland is located within the site boundary, Wood ID: 26708. The Inner Clyde is a Site of Special Scientific Interest, a Special Protection Area, a Ramsar as well as a RSPB Reserve, which located 80m north of the site, with a main road and railway line separating the designated sites from the site boundary. Brucehill-Inland Cliff is a Local Nature Conservation Site which is located approximately 1.6km north of the site boundary.

There are records of soprano pipistrelle, brown long eared and hedgehog found within 2km of the site boundary.

The survey area has habitat suitable for badger, nesting birds and foraging, commuting and roosting bats. No field signs of any protected species was found during the survey.

Two trees were found to be suitable for use by roosting bats. As there was no current or historical evidence of use by bats these features were soft blocked with organic material.

1 Introduction

1.1 Project Objectives

- 1.1.1 Wild Surveys Ltd (WSL) was commissioned by Arthur MacMillan to undertake an ecological constraints survey, an aerial tree survey and desk study at Finlaystone, (hereafter referred to as 'the site'), Marypark Road, Langbank (National Grid Reference NS3759273466). This report presents the results of the survey carried out. The survey area included the area within the site boundary and an additional 30m buffer around the site boundary. Site location can be found within **Appendix 1**.
- 1.1.2 The aim of the survey was to provide a broad description of the existing habitat types within the survey area and to determine the presence and location of any ecologically valuable areas and habitat types with the potential to support protected species in order to inform planning prior to the development of a residential property.
- 1.1.3 Following the ecological constraints survey which was undertaken on the 11th January 2022, an aerial tree survey was carried out on two trees which were identified as having suitable features for use by roosting bats on the 25th January 2022.
- 1.1.4 This report will therefore identify any ecological constraints with regards to potential development and highlight the need for further survey work and mitigation measures, where appropriate.

1.2 Site Location

- 1.2.1 The site is located adjacent to the village of Langbank, east of Port Glasgow. The site is located within the extreme edge of the Finlaystone Country Park. With ancient woodland directly south of the site. Further south is agricultural land with areas of woodland. Gleddoch Golf course is located to the southeast of the site. The River Clyde is located north of the site. The location of the survey and photographs are shown in **Appendix 1**.

2 Methodology

2.1 Desk Study

- 2.1.1 A data search was undertaken by WSL to review information available within the public domain. Publicly available databases, local wildlife groups and our own internal records were consulted for historical evidence of protected species in and around the site. Listings in Scottish Biodiversity List (SBL) and Local BAP was also checked. This information was gathered to identify the status of these protected species within 2 km of the site.
- 2.1.2 A search using NatureScot sitelink, the Renfrewshire Local Development Plan was carried out to discover any statutory or non-statutory designated sites within 2 km. These would include:
- Local Nature Reserve (LNR);
 - Local Authority designated site, *e.g.* Site of Importance for Nature Conservation (SINC);
 - Wildlife Nature Reserve (Scottish Wildlife Trust, Royal Society for the Protection of Birds, etc.);
 - Ancient Woodland Inventory (AWI);
 - Site of Special Scientific Interest (SSSI);
 - Special Area for Conservation (SAC); and,
 - Special Protection Area (SPA).
- 2.1.3 This information was gathered to identify the status of protected species within 2 km of the site, determine the Zone of Influence (Zoi) (survey area) that may be required for further surveys. In addition, the information was used to identify potential impacts on bats which may result from the proposed redevelopment.

Planning Policies

- 2.1.4 The policies set out below are those relevant to nature conservation and include those from the Local Development Plan. The Local Development Plan was adopted by Renfrewshire Council on 2021 and is the land use plan which sets out the policies and proposals which the Council wishes to use to guide development across the area up to date and beyond.
- 2.1.5 In respect to the above, regard has been made to the following policies:
- Scottish Planning Policy (SPP) 2014 (Scottish Government, 2014);
 - Planning Advice Note 60: Planning for Natural Heritage (Scottish Government, 2000); and,
 - Renfrewshire Local Development Plan (2021):
 - Policy ENV1: Greenbelt; and
 - Policy ENV2: Natural Heritage.

2.2 Ecological Constraints

- 2.2.1 An ecological constraints survey was carried out on the 11 January 2022 to establish broad habitat types and their ecological importance. The survey also aimed to identify suitability for a number of protected species in order to make recommendations for avoidance, mitigation

and for any further survey effort, if required. A summary of relevant policy and guidance in Scotland can be found in **Appendix 2**, with the legal context in relation to protected species and habitats found in **Appendix 3 - 6**. The survey area included the area within the site boundary and an additional 30m buffer around the site boundary.

- 2.2.2 Habitats on site consists of an area of semi improved grassland and rhododendron (*Rhododendron sp.*) with broadleaved woodland and a steep rocky incline to the south of the site. Given the habitat types on site particular attention was given to the potential presence of the following species; bats (Chiroptera), badger (*Meles meles*) and habitat suitable for use by nesting birds. Methodologies are detailed below for each of these species. There is no habitat within the survey area suitable for otter (*Lutra lutra*), great crested newt (*Triturus cristatus*), red squirrel (*Sciurus vulgaris*), pine marten (*Martes martes*), water vole (*Arvicola amphibius*), reptiles (Squamata), or wildcat (*Felis silvestris*) and these species are not discussed further.

2.3 Protected Species

Bats

- 2.3.1 A daytime assessment was carried out to identify habitat with the potential to support roosting or foraging and commuting bats within and adjacent to the site (including habitat suitable for roosting such as buildings and trees). The survey area Zone of Influence (ZOI) where all development activities will be located is shown in **Appendix 1**. Further information on the legal protection afforded to bats can be found in **Appendix 3**.
- 2.3.2 All trees were inspected from the ground and climbed for an aerial inspection where required on the 25th January 2022 to identify signs of current and historical bat use and to assess the trees' potential to support bats. Any features which were suitable for supporting bats were noted and, if necessary, trees were climbed and cavities inspected internally using Rigid CA-150 SeeSnake inspection cameras.
- 2.3.3 The habitat assessment was carried out in accordance with the Bat Conservation Trust's Bat Survey Guidelines (Collins, J. 2016).
- 2.3.4 The location of the trees inspected can be found in **Appendix 9**. The assessment aimed to identify the following:
- Roosts and potential for roosts within the ZOI determined by the area affected by the proposed activities within the site and data collected during the desk study;
 - Bat activity / field signs of bats;
 - Evaluate the suitability of any habitat within the ZOI which may support roosting, foraging or commuting bats;
 - Determine any potential impacts on bats within the ZOI;
 - Any requirement for further survey work or for section 44 licensing; and,
 - Determine the scope and survey area for any further survey work.
- 2.3.5 The ZOI was inspected in accordance with current best practice guidance from the Bat Conservation Trust 3rd Edition (Collins, J. 2016) in order to identify the suitability of the ZOI to support roosting, commuting and foraging bats. Guidelines for determining suitability of habitat features for bats is presented in the following table:

Table 1: Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape (to be applied using professional judgement) (adapted from Table 4.1 on Page 35 of current BCT, 2016):

Suitability	Description Roosting habitats	Commuting and foraging habitats
Negligible	Negligible habitat features on site likely to be used by roosting bats.	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	<p>A structure with one or more potential roost sites that could be used by individual bats opportunistically.</p> <p>However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).</p> <p>A tree of sufficient size and age to contain Potential Roost Features (PRFs) but with none seen from the ground or features seen with only very limited roosting potential.</p>	<p>Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat.</p> <p>Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.</p>
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).	<p>Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens.</p> <p>Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.</p>

<p>High</p>	<p>A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding.</p>	<p>Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge.</p> <p>High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland.</p> <p>Site is close to and connected to known roosts.</p>
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Badger

- 2.3.6 The survey included searching for field signs of badgers, including:
- Presence of holes with evidence of badgers such as footprints, discarded hairs; etc.;
 - Presence of dung pits or latrines;
 - Presence of well-used runs with subsidiary evidence of badger activity; and
 - Presence of other indications of badger activity such as signs of foraging, snuffle marks and footprints.
- 2.3.7 In addition, any mammal holes which were either dug by badger or could be used by badger (known as setts) were also noted. Setts were examined for evidence of current use including:
- Identifiable badger hairs present within sett entrances or spoil heaps;
 - Badger prints present within sett entrances or spoil heaps;
 - Well-worn paths connecting the sett with other known setts, badger latrines or dung pits;
 - Recent digging when associated with other evidence of badger; or
 - Bedding present at sett entrances or recently buried within spoil heaps.
- 2.3.8 Day nests comprised of collections of bedding above ground were also noted if present.
- 2.3.9 Badger surveys can be carried out at any time of the year. However, the optimum period is between November and March when vegetation has died back, and signs can be more easily seen. Information on the legal protection afforded to badger can be found in **Appendix 5**.

Nesting Birds

- 2.3.10 The habitats within the survey area were evaluated for their suitability to support notable bird species and, in particular, nesting birds. Information on the legal protection afforded to birds can be found in **Appendix 6**.

Invasive Non-native Species

- 2.3.11 Particularly common, invasive non-native species, such as giant hogweed (*Heracleum mantegazzianum*), Japanese knotweed (*Fallopia japonica*), and Himalayan balsam (*Impatiens glandulifera*) will have been noted, where found.

Other Notable Species or Habitats

- 2.3.12 Any suitable habitat for and field signs of SBL species brown hare (*Lepus europaeus*), hedgehog (*Erinaceus europaeus*) and common toad (*Bufo bufo*) will be recorded where present. No survey was undertaken specifically for SBL invertebrates or bird species, however, species were recorded where incidentally observed during the survey.

2.4 Limitations

Physical Limitations

- 2.4.1 No physical limitations occurred during the survey.

Seasonal Limitations

- 2.4.2 Ecological surveys provide a snapshot of the broad habitats and species present within the survey area at the time the survey is undertaken. Faunal species are transient in nature and can move in and out of an area. A lack of field signs of any particular species does not confirm absence, only that no field signs were present at the time of survey. Suitability for protected species and variation in use of the site by protected species on a seasonal basis has been considered based on the broad habitat types present.
- 2.4.3 There are seasonal limitations to all species and habitats surveys. A table of optimal survey periods can be found in **Appendix 7**.

3 Results

3.1 Desk study

3.1.1 The following designated sites were located within 2km of the proposed site:

- Brucehill - Inland Cliff, Local Nature Conservation Site (LNCS), approximately 1.6 km from the site;
- Inner Clyde, SSSI, SPA, Ramsar and RSPB Reserve, approximately 80m from the site;
- 15 AWIs, closest being Wood ID:26708 , located within the site; and,
- Four SINCs, the closest being Finlaystone Estate found within the site boundary, Barscube Hill, approximately 950m from the site, Knockmountain Wood, approximately 1.7km, Ferryhill Plantation, approximately 1.8km from the site.

3.1.2 From the desk study it has been found that the following bat species are known to be found within Renfrewshire: common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*P. pygmaeus*), Daubenton's (*Myotis daubentonii*), Natterer's (*Myotis nattereri*), Leisler's (*Nyctalus leisleri*), noctule (*Nyctalus noctula*) and brown long-eared bat (*Plecotus auritus*). There are records of soprano pipistrelle bats found approximately 300m from the site. Brown long-eared bat has been recorded within 1km of the site.

3.1.3 Within the Renfrewshire Local Development Plan, policy ENV1: Greenbelt and ENV2: Natural Heritage are both relevant to the site.

3.1.4 One record of hedgehog (*Erinaceus europaeus*) was recorded approximately 420m from the site.

3.1.5 The full desk study results can be found in **Appendix 8**.

3.2 Ecological Constraints Survey

3.2.1 All ecological constraints identified within the site can be viewed in **Appendix 9**.

Habitat

3.2.2 The site is found within a woodland setting, dominated by rhododendron and an open area of semi improved grassland with broadleaved woodland, including beech (*Fagus sylvatica*), ash (*Fraxinus excelsior*), sycamore (*Acer pseudoplatanus*), goat willow (*Salix caprea*). The south of the site is a steep rock face.

Protected Species

Bats

3.2.3 As the site is surrounded by ancient woodland, the site and areas surrounding the site has suitable foraging and commuting habitat for bats. The vegetation line, stone wall and road to the north of the site provides a suitable commuting corridor for foraging and commuting bats. Therefore, site was classed as having moderate suitability for foraging and commuting bats.

3.2.4 One mature ash tree to the far west of the site contains two knot holes and one tear out which were inspected by endoscope for signs of roosting bats. No field signs of bats were found within any of the features. Two knot holes approximately 7m up, south facing and north facing had negligible suitability for roosting bats. The limb tear out had high suitability for roosting

bats with a depth of approximately 0.5m and a diameter of 3/4cm. All features were soft blocked with vegetation.

- 3.2.5 A sycamore tree located to the far east of the site contains a tear out located on the main stem approximately 1m up. This feature was endoscoped and no field signs of bats were found within it. The feature had low suitability for roosting bats and was soft blocked with vegetation.

- 3.2.6 The locations of the trees can be seen in **Appendix 9**.

Badger

- 3.2.7 The site has suitable habitat for badger within the woodland area of the site. No field signs were recorded during the survey.

Nesting Birds

- 3.2.8 The trees and shrubs within the site have suitable habitat within the site for nesting birds. No nests were noted on site. During the survey calls of long-tailed tits (*Aegithalos caudatus*), blue tits (*Cyaniste caeruleus*), magpie (*Pica pica*), blackbird (*Turdus merula*), and robin (*Erithacus rubecula*) were recorded.

Invasive, Non-native Species

- 3.2.9 Rhododendron was recorded to the east of the site.

Other Notable Species or Habitats

- 3.2.10 No other species were recorded.

4 Discussion and Recommendations

4.1 Discussion

- 4.1.1 As the site is found on the extreme edge of the Finlaystone Estate SINC and within an ancient woodland, the proposed development may affect the integrity of these designated site, however if recommendations are followed, there may be short term indirect effects to these sites, during construction works.
- 4.1.2 The woodland within the site is an ancient woodland which is listed within the Scottish biodiversity list. It is WSL understanding that the proposed plans will be restricted to an open area which has previously been cleared in the distant past and is now dominated by rhododendron with limited tree limbing and removal of young trees only, therefore avoiding any direct impact to the ancient woodland.
- 4.1.3 Within the Renfrewshire Local Development Plan, policy ENV1 and ENV2 are both relevant to the site.
- 4.1.4 The site has suitable habitat for badger and nesting birds, however no field signs of badger were found during the survey. There is a large area of rhododendron which is an invasive non-native species found within the site.
- 4.1.5 As the surrounding habitat to the site is ancient woodland, there are other opportunities for foraging and commuting bats in the nearby woodland, beyond the site boundary.
- 4.1.6 Two trees were found to be suitable for use by roosting bats. As there was no current of historical evidence of use by bats these features were soft blocked with organic material.

4.2 Recommendations

Licensing Requirements

- 4.2.1 No licence is currently required but may be required following further survey work.
- 4.2.2 A summary of relevant policy can be found in **Appendix 2**, with the legal position in relation to protected species is contained within **Appendix 3 - 6**.

Avoidance / Retention

- 4.2.3 WSL understands that the ash tree to the west of the site is to be retained within the project plans. If the tree is to be removed it is recommended that the tree undergoes a pre-fell check for bats prior to removal.
- 4.2.4 It is recommended that any vegetation clearance should be carried outside the nesting bird season (typically March-September).
- 4.2.5 It is recommended that where possible, the vegetation line which borders the north of the site should be retained along with the stone wall to avoid disturbance to foraging and commuting bats.
- 4.2.6 It is recommended that all works stop an hour before sunset and not commence again until an hour after sunrise to avoid disturbance to any foraging and commuting bats.
- 4.2.7 As the rhododendron is an invasive non-native species, it should not be allowed to spread from the site, if they must be removed advice should be sought from a specialist prior to removal.

Further Survey

- 4.2.8 The blocking of features in our experience can remain in place up to three months, therefore the work should be carried out as soon as possible. If the proposed works extends beyond three months from the point of survey, an ecologist should be contacted for further advice.
- 4.2.9 Should avoidance of the nesting bird season (March-September) not be possible, a nesting bird survey should be undertaken no more than 48 hours prior to any work being undertaken on site by a suitably experienced ecologist.
- 4.2.10 A pre-construction survey for badger should be carried out within eight weeks of works commencing due to the high mobility of wildlife.
- 4.2.11 Due to the high mobility of wildlife and to re-establish the ecological baseline, if the proposed works have not commenced within 12 months then the project ecologist should be contacted to determine the requirement for repeat ecological surveys. The bat survey is valid for up to 18 months from the date of survey (CIEEM, 2019).

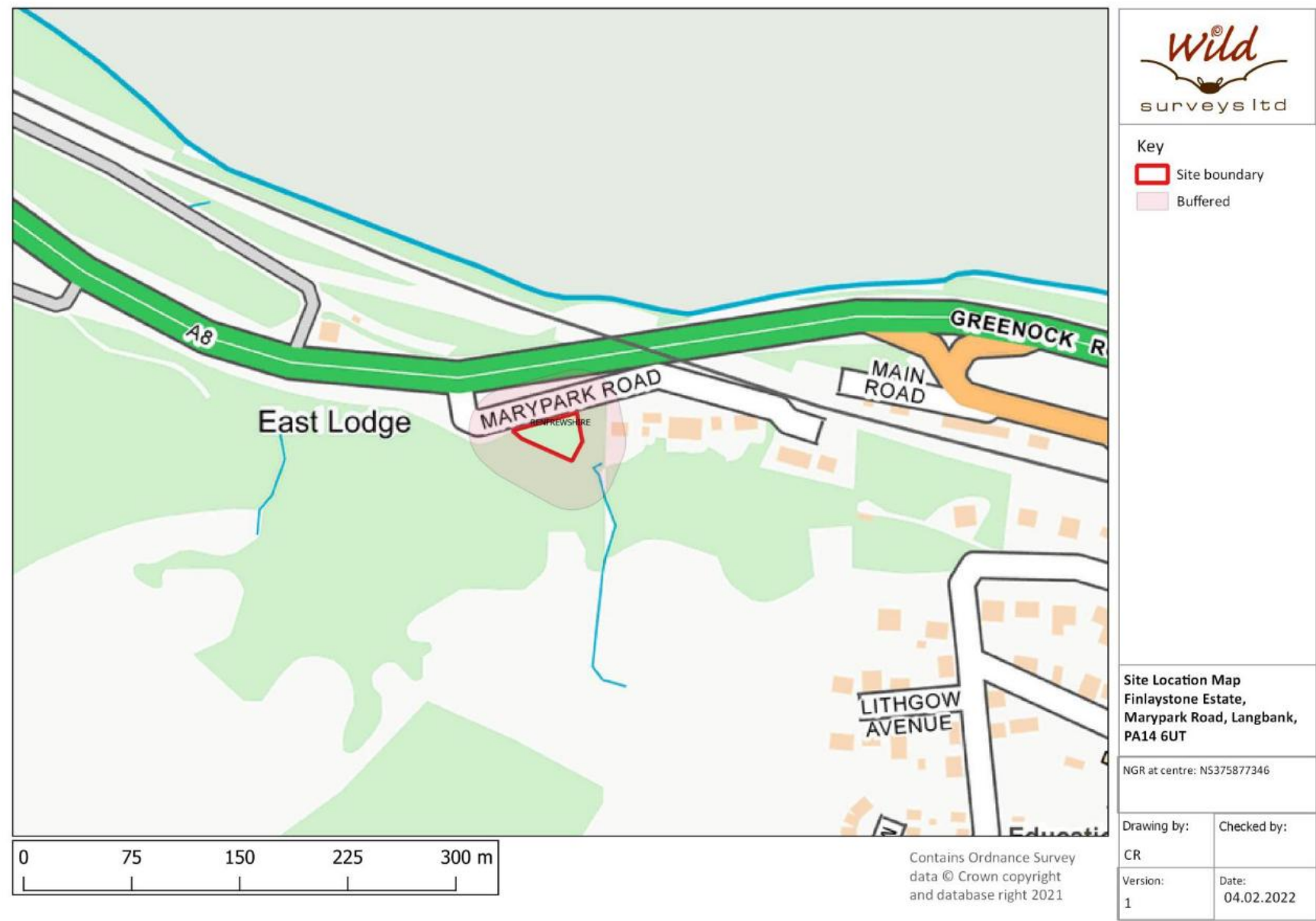
Enhancement Measures

- 4.2.12 The Local Development Plan contains policies ENV1 and ENV2 which focus on the natural environment and details how new developments can enhance habitats/biodiversity including through creating, enhancing and better linking habitats and ecosystems.
- 4.2.13 The policies state that new development should aim to enhance biodiversity where possible. For redevelopment of the site, consultation should be undertaken with the individual responsible for biodiversity at the Local Planning Authority and bespoke enhancement measures designed for the site.

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Appendix 1 – Site Location and Photographs



Photographs



Image 1: Proposed site area



Image 2: Rhododendron on site. Target note 1.



Image 3: Ash tree with features suitable for roosting bats. No field signs of bats noted.



Image 4: Stone wall along the northern boundary of the site.



Image 5: Sloping area to the south of the site.



Image 6: Site view looking to the north of the site.



Image 7: Knot holes on ash tree which has suitability for roosting bats. Target note 2.



Image 8: Limb tear out on ash tree. Target note 2.



Image 9: Knot hole which has suitable features for roosting bats. Target note 2.



Image 10: Tear out on sycamore tree, feature suitable for roosting bats. No field signs of bats were found. Target note 3.

Appendix 2 – Summary of Relevant Policy and Legislation

Policy and Guidance in Scotland

This section briefly summarises the policy, guidance and related issues in Scotland that are relevant to the main text of the report. The following text does not constitute legal or planning advice.

Scottish Planning Policy (SPP) (Scottish Government, 2014)¹

The SPP sets out planning policies including those that relate to the protection of biodiversity. Planning authorities, and all public bodies, have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of biodiversity Policy Principles. The SPP states the planning system should:

- Facilitate positive change while maintaining and enhancing distinctive landscape character;
- Conserve and enhance protected sites and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities;
- Promote protection and improvement of the water environment, including rivers, lochs, estuaries, wetlands, coastal waters and groundwater, in a sustainable and coordinated way;
- Seek to protect soils from damage such as erosion or compaction;
- Protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;
- Seek benefits for biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats; and
- Support opportunities for enjoying and learning about the natural environment.

National Planning Framework 3 (Scottish Government, 2014)²

The National Planning Framework, sets out a long-term vision for development and investment across Scotland over the next 20 to 30 years.

Paragraph 4.5 states “*Biodiversity in Scotland is rich and varied. We have numerous internationally and nationally important habitats and species with a diverse network of protected sites, concentrated particularly in the north and west of Scotland, along our coasts and estuaries and in our upland areas. However, biodiversity is not just confined to our rural areas - our built environment, key infrastructure corridors and the greenspaces within our cities and towns also provide important habitats, and can together contribute to a wider national ecological network. Our marine wildlife is rich and varied. Geodiversity underpins our landscapes and provides important ecosystem services.*”

Paragraph 4.10 states “*The 2020 Challenge for Scotland's Biodiversity aims to promote and enhance Scotland's nature, and to better connect people with the natural world. Maintaining our natural capacity to provide services makes economic sense - to help achieve this, biodiversity in Scotland needs to be viewed at a landscape scale.*” The 2020 Challenge for Scotland's Biodiversity is part of the Scottish Biodiversity Strategy as described below.

UK Biodiversity Action Plan (UKBAP), (JNCC, 1994)³

The United Kingdom Biodiversity Action Plan (UK BAP) was published in 1994. It was the UK Government's response to the Convention on Biological Diversity (CBD), which the UK signed up to in 1992 at the Earth Summit in Rio de Janeiro. The UK BAP describes the biological resources of the UK and provides detailed plans for conservation of these resources.

¹ <https://www.gov.scot/publications/scottish-planning-policy/>

² <https://www.gov.scot/publications/national-planning-framework-3/>

³ <https://jncc.gov.uk/our-work/uk-bap/>

Scottish Biodiversity Strategy⁴

In Scotland, the Scottish Biodiversity Group was formed and identified national priorities and targets for species and habitats in conjunction with local authorities, non-governmental organisations and local communities, with the production of the Scottish Biodiversity Strategy (including the *Scottish Biodiversity List*⁵. The Scottish Biodiversity List is a list of animals, plants and habitats that Scottish Ministers consider to be of principal importance for biodiversity conservation in Scotland.

Planning and Development: Protected Animals, Protected Areas NatureScot (Formerly SNH)⁶

NatureScot states that the presence, or potential presence, of any protected species is a “*material consideration in planning application decisions*”.

If there is reasonable evidence that a protected species is present on site or may be affected by a proposal, its presence must be assessed and measures proposed to avoid impacts, as necessary.

Early surveys and comprehensive protection plans will help to progress a development proposal that may affect a protected animal.

Proposals requiring the most careful scrutiny include those that may impact on:

- European protected species – e.g. bats, otter and great crested newt;
- Species on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) – e.g. red squirrel and water vole; and
- Badger – protected under the Protection of Badgers Act 1992.

You may need to apply to NatureScot for a licence for any activity that has the potential to disturb a protected species. This includes disturbance of the species for the purpose of the development and/or survey work.

The “Planning and Development -Protected Areas” document highlights the importance of protected areas in Scotland. A Habitats Regulations Appraisal must be conducted for any development proposal that requires planning permission or other consent and might affect a Natura site.

Guidance on European Protected Species, development sites and the planning system (Scottish Government 2006)⁷

This document highlights the importance of completing all surveys for European Protected Species prior to seeking planning permission.

It warns against the use of suspensive conditions in planning permissions instead of **fully ascertaining, prior to the determination of the planning application, whether a European Protected Species (EPS) is present on a site.**

Therefore, to ensure that all decisions are compliant with the Habitats Directive and the Regulations and the above mentioned Guidance, **planning authorities should fully ascertain whether protected species are on site and what the implications of this might be before considering whether to approve an application** or not.

Therefore, it is recommended that ecological surveys for EPS are carried out prior to seeking planning permission.

⁴ <https://www.nature.scot/scotlands-biodiversity/scottish-biodiversity-strategy>

⁵ <https://www.nature.scot/scotlands-biodiversity/scottish-biodiversity-strategy/scottish-biodiversity-list>

⁶ <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species> and <https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/planning-and-development-protected-areas>

⁷ <https://www.gov.scot/publications/european-protected-species-chief-planner-letter/>

Appendix 3 - European Protected Species and the Law

Bats, otters, great crested newts, natterjack toad, wildcat, cetaceans, and several other animals are protected under European law, in Annexes II and IV of *Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora* (The Habitats Directive 1992). The Habitats Directive is translated into Scots law under the *Conservation (Natural Habitats, &c.) Regulations 1994* (as amended in Scotland), often referred to as the Habitats Regulations, with these species being classified as European protected species. Under these regulations it is an offence to:

- Damage or destroy a breeding site or resting place of such an animal; and to, deliberately or recklessly:
- Capture, injure or kill a wild animal of a European protected species;
- Harass a wild animal or group of wild animals of a European protected species;
- Disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
- Disturb such an animal while it is rearing or otherwise caring for its young;
- Obstruct access to a breeding site or resting place of such an animal, or otherwise to deny the animal use of the breeding site or resting place;
- Disturb such an animal in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs; and,
- Disturb such an animal in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young.

There are also several plant, fungi, and lichen species protected under this legislation. EPS animals can potentially return to the same resting site every year; therefore, bat roosts, otter holts, etc. are protected even if there are no animals there all year round. These laws are not designed to prevent work, but to minimize its impact on the long-term survival of EPS. As such, some activities affecting EPS or their places of shelter may need to be done under and in accordance with the terms of a licence issued by the licensing authority, NatureScot allow certain otherwise illegal actions to be undertaken legitimately. Such activities might include:

- Blocking, filling or installing grilles over old mines or tunnels;
- Building, alteration or maintenance work;
- Getting rid of unwanted bat colonies;
- Tree felling;
- Re-roofing;
- Remedial timber treatment;
- Rewiring or plumbing in roofs;
- Demolition;
- Maintenance or construction of watercourse crossings (e.g. culverts under roads, bridges);
- Vegetation clearance along riparian corridors;
- Any disturbing (e.g. loud or night works) within proximity to watercourses;
- Dewatering or infilling ponds;
- Removal of woodpiles and debris near waterbodies; and,
- Translocation of species.

If a licence is required:

Further survey will be required in order to gain sufficient information in order to supply a sufficient baseline and to inform the necessary mitigation plan required to support a licence application.

Application forms can be found on the NatureScot website along with guidance:

<https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species-licensing-z-guide/bats/bats-licences-development>

Please note the need to provide clear justifications as to the purpose of the licence and any alternatives which may have been considered. Supporting information will be required to specifically support an application and depending on the findings of this survey, further survey work may be required, along with a detailed mitigation plan specific to the bat interest on this site and to the works proposed. NatureScot

also generally require that all other consents, such as planning permission and historic building consent, are in place before a licence will be considered.

A Habitats Regulations licence may be granted by NatureScot if the following three tests are met:

1. That the licence application must demonstrably relate to one of the purposes specified in Regulation 44(2) of the Habitats Regulations. These purposes include, among others:
 - Preserving public health or public safety;
 - Other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; or,
 - Preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries.
2. That there is no satisfactory alternative; and
3. That the development will not be detrimental to maintenance of the populations of the species at a favourable conservation status.

If an EPS is found during the period of development:

The project ecologist should be contacted immediately for advice before proceeding with works. Advice from NatureScot may be required; the project ecologist should be able to determine this.

Appendix 4 – Wildlife and Countryside Act Species and the Law

Red squirrel, pine marten, water vole, freshwater pearl mussel, as well as some species of fish and other invertebrates protected under national legislation, *the Wildlife and Countryside Act (1981)* (as amended in Scotland) Schedule 5. Several plants are also protected under this piece of legislation under Schedule 8. Species such as pine marten and red squirrel are fully protected, making it an offence to intentionally or recklessly:

- Kill, injure, or take any wild animal included in Schedule 5;
- Damage or destroy any structure or place which any wild animal specified in Schedule 5 uses for shelter or protection;
- Disturb any such animal while it is occupying a structure or place which it uses for shelter or protection; and
- Obstruct access to any structure or place which any such animal uses for shelter or protection.

The water vole, though in sharp decline in the UK, and is listed on Schedule 5 in respect of section 9(4) only, *i.e.* their habitat is protected but the animals themselves are not, except while they are in their shelters. So while it is not an offence to kill, injure or take a water vole in Scotland, the other offences regarding damage to shelter and disturbance still apply. Although water voles are not currently protected from killing or taking in Scotland, England and Wales gave water vole full protection in April 2008, and they are expected to receive full protection in Scotland in the near future.

If a licence is required:

The recent *Wildlife and Natural Environment (Scotland) Act 2012* provided a new licensing purpose to apply to Schedules 5 and 8 species listed in the Wildlife and Countryside Act. The new purpose is designed to mimic the tests required for EPS species. Therefore, there is still a need to provide clear justifications as to the purpose of the licence and any alternatives which may have been considered. Supporting information will be required to specifically support an application and depending on the findings of this survey, further survey work may be required, along with a detailed mitigation plan specific to the Schedule 5 interest on this site and to the works proposed. NatureScot also generally require that all other consents, such as planning permission and historic building consent, are in place before a licence will be considered.

The relevant purposes for which a licence can be granted include:

- Preserving public health or public safety;
- Preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber, or any other form of property or to fisheries; or
- For any other social, economic or environmental purpose; provided that
 - a. Undertaking the conduct authorized by the licence will give rise to or contribute towards the achievement of, a significant social, economic or environmental benefit; and,
 - b. There is no other satisfactory solution.

Application forms can be found on the NatureScot website along with guidance:

<https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/licensing-forms-and-guidance>

If a Schedule 5 species is found during the period of development:

The project ecologist should be contacted immediately for advice before proceeding with works. Advice from NatureScot may be required; the project ecologist should be able to determine this.

Appendix 5 – Badgers and the Law

Badgers are protected by the *Protection of Badgers Act 1992* (as amended in Scotland).

The purpose of the Act is to protect the animals from deliberate cruelty and from the incidental effect of lawful activities which could cause them harm. Under this legislation it is an offence to deliberately or recklessly:

- Kill, injure, take, possess or cruelly ill-treat a badger or attempt to do so;
- Damaging or destroying it;
- Obstruct access to, or any entrance of, a badger sett; and,
- Disturb a badger whilst it is occupying a sett.

If a licence is required:

Application forms can be found on the NatureScot website along with guidance:

<https://www.nature.scot/badgers-licence-forms-and-guidance-documents>

Please note supporting information will be required to specifically support an application and depending on the findings of this survey, further survey work may be required, along with a detailed mitigation plan specific to the badger interest on this site and to the works proposed. NatureScot also generally require that planning permission is in place before a licence will be considered.

If a badger is found during the period of development:

The project ecologist should be contacted immediately for advice before proceeding with works. Advice from NatureScot may be required; the project ecologist should be able to determine this.

Appendix 6 – Birds and the Law

All species of wild bird and their nests are also protected under the *Wildlife and Countryside Act 1981* (as amended in Scotland), which makes it illegal to deliberately or recklessly:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built;
- At any other time takes, damages, destroys or otherwise interferes with any nest habitually used by any wild bird included in Schedule A1;
- Obstructs or prevents any wild bird from using its nest; and,
- take or destroy an egg of any wild bird.

There are also further offences for birds listed on Schedule 1 of the Act which includes deliberately or recklessly:

- Disturbing any wild Schedule 1 bird while it is building a nest or is in, on or near a nest containing eggs or young; and,
- Disturbing dependent young of such a bird.

You should note that there is no licensable purpose of development for birds.

Should there be a risk of one of the above offences it is strongly advised that works are either micro-sited to avoid the nests or timed to avoid the nesting season (1 March to 31 August), depending on the species and type of work.

If live nests are found:

The project ecologist should be contacted immediately for advice before proceeding with works. Advice from NatureScot may be required; the project ecologist should be able to determine this.

Appendix 7 – Guidance on Optimal Survey Periods

Protected Species	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Habitats & Vegetation	Recommended time to surveys mosses and lichens only			Recommended time to undertake Phase 1 habitat surveys						Recommended time to surveys mosses and lichens only			
Badgers	Best time for field surveys				Surveys possible, but sub-optimal						Best time for field surveys		
Bats	Inspection of hibernation, tree and building roosts			Activity surveys only; invasive surveys to be avoided	Activity surveys and inspection of building roosts. Emergence counts.					Activity surveys only; invasive surveys to be avoided	Inspection of hibernation, tree and building roosts		
Birds	Winter birds		Breeding birds/migrant species			Breeding birds		Breeding birds/migrant species			Winter birds		
Otters	Year-round surveying, though wet weather can limit visibility.			Surveys for otters can potentially be conducted all year round, preferably when weather condition are stable, though dense vegetation cover can be limiting							Year-round surveying, though wet weather can limit visibility.		
Pine Martens	Surveys can be carried out at any time of year, though better in spring and summer		Survey for breeding dens			Optimal survey period is spring to summer			Surveys can be carried out at any time of year, though better in spring and summer				
Red Squirrels	Survey at any time of year, breeding females			Survey at any time of year weather permitting, optimal in spring and summer. Breeding females can be surveyed December to September								Survey at any time of year	Breeding females
Water Voles	Reduced WV activity	Initial surveys	Best time to survey				Surveys possible, but vegetation cover & weather conditions can be limiting				Initial surveys	Reduced WV activity	
Great Crested Newt	No surveys as newts in hibernation		Pond Surveys for adults: mid-March to mid-June. Surveys must include visits undertaken between mid-April and mid-May. Egg surveys April to mid-June. Larvae surveys from mid-May Terrestrial habitat surveys				Larvae surveys to mid-August Terrestrial habitat surveys		Terrestrial habitat surveys		No Surveys – newts in hibernation		

Appendix 8 - Desk Study Search Results

Location	Finalystone, Marypark Road	OS Grid Squares	NS37587734 60	Date of Search	05/11/2022
Wild Surveys Data Bat Species	No of Records within 2 km	Approximate distance in km	Site name/Grid Ref	Date	
Soprano pipistrelle	1	390m south	NS3788373105	Sep 2013	
Wild Surveys Data Protected Species	No of Records within 2 km	Approximate distance in km	Site name/Grid Ref	Date	
No Data					
NBN Bat Species Data	No of Records within 2 km	Approximate distance in km	Site name/Grid Ref	Date	Data Licence
Soprano pipistrelle	4	1km west	NS3649173501	June 208 – June 2019	CC-BY Bat Conservati on Trust
Brown long eared	24	1km west	NS3649173501	June 2007 – June 2019	CC-BY Bat Conservati on Trust
NBN Species Protected Species	No of Records within 2 km	Approximate distance in km	Site name/Grid Ref	Date	Data Licence
Hedgehog	1	420m east	NS3804373448	August 2019	The Conservati on Volunteer
LOCAL BAT GROUP Bat Species Data	No of Records within 2 km	Approximate distance in km	Site name/Grid Ref	Date	
No Data					
Renfrewshire Biodiversity Action Plan (2018 – 2022)					

Species action plans with relevance to the site / survey area:

- Juniper
- Orchids
- Red and amber list bird species
- Lesser whitethroat
- Invasive, non-native species

Habitat action plans with relevance to the site / survey area:

- Mixed deciduous woodlands
- Upland oakwood
- Upland birchwood
- Wet Woodland
- Blanket bogs
- Meadows
- Heathland

Bat species known to be present within the LBAP area:

- Soprano pipistrelle
- Common pipistrelle
- Daubenton's bat
- Whiskered bat
- Leisler's bat
- Natterer's bat
- Brown long eared bat
- Nathusius pipistrelle

Designated Site Search- Statutory, Non-statutory and Local Nature Reserves within 2 km

Site name & Grid Reference	Designation	Features	Distance
Brucehill- Inland Cliff	LNCS	Inland sandstone cliffs with dripping water which supports various ferns and bryophytes.	1.6km north
Inner Clyde	SSSI & SPA & RAMSAR & RSPB Reserve	Inner clyde encompasses the intertidal zone of the Clyde estuary which is important habitat for wintering birds, especially waders. Estuarine saltmarsh and mudflats.	80m north
15 AWI	AWI	15 AWI found within 2km of the site boundary. The closest being within the site, Wood ID: 26708 which is of semi-natural origin.	Within the site – 2km

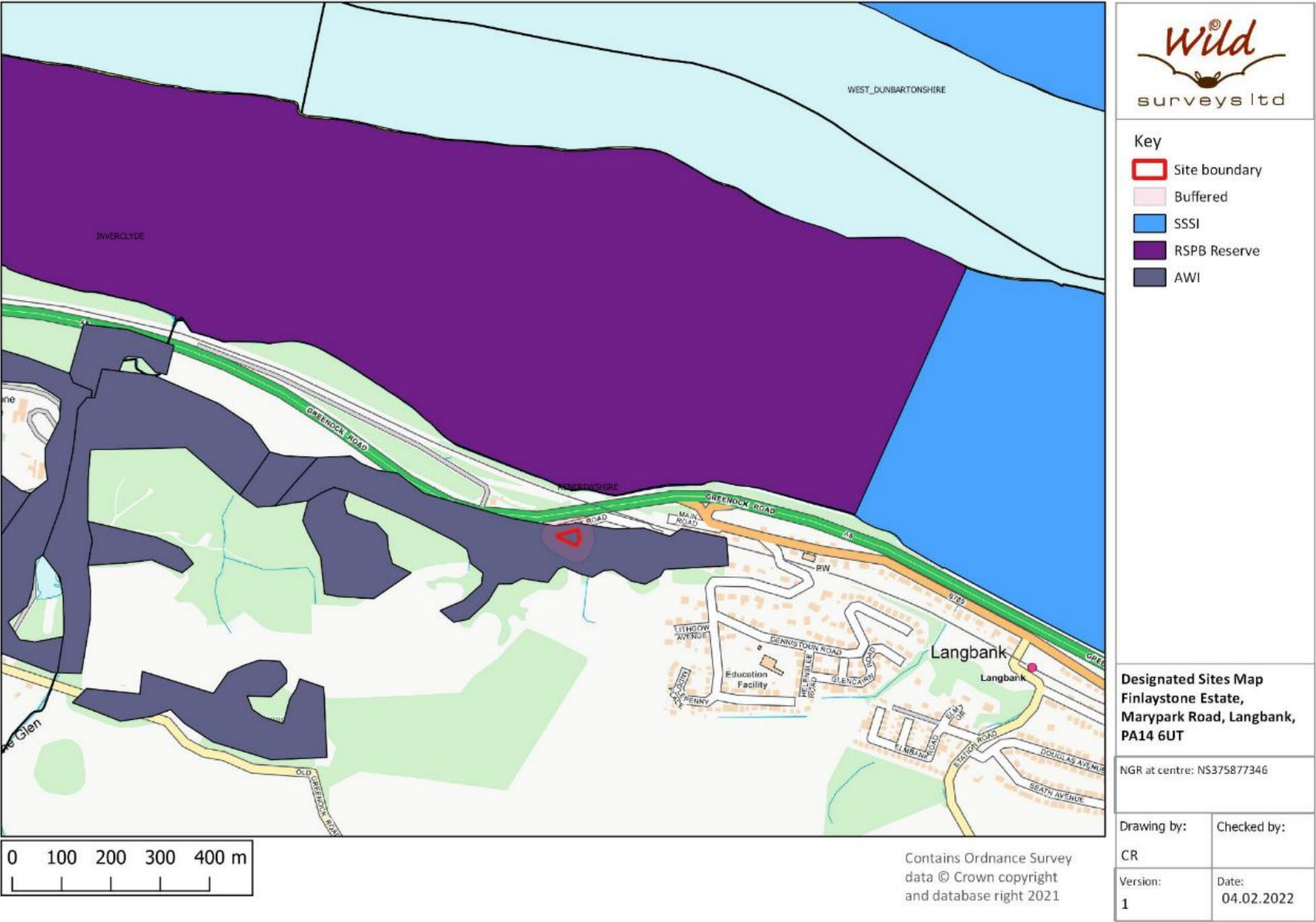
Finlaystone Estate	SINC	Broad leaved woodland with extensive conifer plantations.	Within in the site.
Barscube Hill	SINC	Semi-improved pasture on a lope with several prominent ridges and depressions.	950m south
Knockmountain Wood	SINC	Woodland, Grassland and Marshland.	1.7km southwest
Ferryhill Plantation	SINC	Woodland mainly downy and silver birch with ancient woodland.	1.8km east

Data Licenses

Open Government License (OGL). OGL license information can be found at:
<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/2/>

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<https://www.creativecommons.org/licenses/by/4.0>

Designated Sites Map



Appendix 9 – Constraints Plan



Target Note	Grid Reference	Notes
1	NS3757573462	Rhododendron approximately 3m x 7m.
2	NS3755573450	Mature ash tree. Three knot holes and one tear out located on tree.
3	NS3758773453	Sycamore tree. Tear out on the main stem approximately 1m up, south facing.

Tree No.	Grid Reference	Species	Feature	BCT Suitability	Field Signs	Recommendations
2	NS3755573450	Ash	2 knot holes 1 limb tear out	Low High	NA	Works within site be carried out within three months.
3	NS3758773453	Sycamore	Tear out on main stem ~1m high	Negligible	NA	NA



Registered Address
Room 41,
St James Business Centre,
Linwood Road,
+44 (0) 141 887 2770

MEMORANDUM

Communities and Housing

Director: Mary Crearie

Tel: 07768988028 Fax: 0141 618 7500
My Ref: CH/KMcI/LC
Your Ref: 22/0125/PP
Ask For: Karen McIndoe
Date: 9 March 2022



To: Sharon Marklow, Strategy and Place Manager

From: Head of Communities & Public Protection

Application Number: 22/0125/PP

LOCATION: Site On Western Boundary Of Marypark,
Marypark Road, Langbank

While the site does not appear to have a long history of previous use, historical map information suggests a building (unknown use) was formerly present onsite c1970s. While there is no requirement for action at this stage, should ground disturbance uncover any evidence of contamination or unusual materials (e.g. membranes, relict structures, materials with unusual colour/texture/odour, staining/sheens etc) during the proposed works, all work should cease immediately. The applicant should then seek professional advice regarding the ground conditions at the site, and their implications for the proposed development, and notify the Building Standards section of the Council in the first instance.

Karen McIndoe
Environmental Health Officer



**Renfrewshire
Council**

Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 Fax: 0141 618 7935 Email: dc@renfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100538106-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Application for Permission in Principle for new Dwelling House

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Ingram Architecture & Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stephen	Building Name:	
Last Name: *	Govan	Building Number:	227
Telephone Number: *	07900 882 495	Address 1 (Street): *	Ingram Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G1 1DA
Email Address: *	s.govan@ingramarchitecture.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Finlaystone House
First Name: *	Arthur	Building Number:	
Last Name: *	MacMillan	Address 1 (Street): *	Finlaystone Estate
Company/Organisation		Address 2:	Langbank
Telephone Number: *		Town/City: *	Port Glasgow
Extension Number:		Country: *	UK
Mobile Number:	07802 254 056	Postcode: *	PA14 6TJ
Fax Number:			
Email Address: *	arthurmacmillan10@me.com		

Site Address Details

Planning Authority:

Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site adjacent to Marypark House, Marypark Road, Langbank

Northing

673465

Easting

237577

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Email correspondence with advice given to provide information on the developable footprint, Tyree protection, ecology, topography and flooding

Title:

Mr

Other title:

First Name:

James

Last Name:

Weir

Correspondence Reference
Number:

Date (dd/mm/yyyy):

02/12/2021

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

719.60

Please state the measurement type used:

☐

Hectares (ha)

☒

Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Vacant Land

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☒

Yes

☐

No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐

Yes

☒

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☒

Yes

☐

No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒

Yes – connecting to public drainage network

☐

No – proposing to make private drainage arrangements

☐

Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

☒

Yes

☐

No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☒

Yes

☐

No, using a private water supply

☐

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Stephen Govan

On behalf of: Mr Arthur MacMillan

Date: 21/02/2022

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
☐ Elevations.
☐ Floor plans.
☐ Cross sections.
☒ Roof plan.
☐ Master Plan/Framework Plan.
☐ Landscape plan.
☐ Photographs and/or photomontages.
☒ Other.

If Other, please specify: * (Max 500 characters)

Flood Risk Assessment, Ecological Report, Tree Survey, Topographic Survey

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Ecological Report, Tree Survey

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Stephen Govan

Declaration Date: 21/02/2022

Payment Details

Online payment: 413702

Payment date: 21/02/2022 11:56:53

Created: 21/02/2022 11:56

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Renfrewshire Council Chief Executive's Service Renfrewshire House Cotton Street, Paisley, PA1 1WB	Council Reference:-	22/0125/PP
	TS TRBO Reference:-	NSW/29/2022

Application made by Mr Arthur MacMillan per Stephen Govan, Ingram Architecture & Design 227 Ingram Street Glasgow G1 1DA and received by Transport Scotland on 02 March 2022 for planning permission for erection of dwellinghouse with associated access (in principle) located at Site On Western Boundary Of Marypark, Marypark Road, Langbank affecting the A8 Trunk Road.

Director, Roads Advice

1. The Director does not propose to advise against the granting of permission ☒
2. The Director advises that planning permission be refused (see overleaf for reasons). ☐
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons). ☐

To obtain permission to work within the trunk road boundary, contact the Area Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-

Area Manager (A8)
0141 272 7100
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Operating Company:-

NEW SOUTH WEST

Address:-

150 Polmadie Road, Glasgow

Telephone Number:-

--

e-mail address:-

OCCR.SWSCOTLAND@amey.co.uk

Transport Scotland Response Date:- 09-Mar-2022

Transport Scotland Contact:- Iain Clement

Transport Scotland Contact Details:-

Roads - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number:

e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland , Roads Directorate, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted .

James Weir

From: Stephen Boyle
Sent: 10 March 2022 10:24
To: James Weir
Subject: RE: Consultation Letter for Planning Application Ref:22/0125/PP

Hi James,

Yes, as it is a private road it would be recommended the access is constructed as per the national roads development guide (width, surfacing, drainage, sightlines etc). No surface water should discharge onto the private road.

I have not been sent the drive thru application, so either John has it or its been missed. It's a difficult one as on first glance I thought it would not be acceptable. However, I'm struggling to see a reason why.

Doesn't appear to have any impact on sightlines for the Glenburn Rd/ Caplethill Rd junction, if there was a restriction then it would be resolved by ensuring no parking takes place on space No1. There is no pedestrian provision but that could be conditioned and maybe get a footway provided on Glenburn Rd between where the footway stops and the access to this development. Parking could be considered limited and when car wash is opened could cause issues. The access off Caplethill Rd would be better closed up and all movements concentrated on Glenburn Rd, but this would have implications for the car wash.

I would say if there was a reason to refuse it would be for the increased movements for an access in close proximity to a junction. There is a lot going on here with a car wash, tyre place and a barbers. There is three access points and it is hard to determine the impact the development will have on vehicle trips and parking.

I know that maybe doesn't help as its quite conflicting but its an awkward one.

Let me know if you want to discuss further.

Thanks
Stephen

-----Original Message-----

From: James Weir <james.weir@renfrewshire.gov.uk>
Sent: 10 March 2022 09:25
To: Stephen Boyle <stephen.boyle@renfrewshire.gov.uk>
Subject: RE: Consultation Letter for Planning Application Ref:22/0125/PP

Hi Stephen,

Yes it looks like private road accessed from trunk road as you say so no problem to not provide comments. An FRA has been done and we will condition drainage as standard if it gets approved. And we have consulted TS regards the trunk road. If they ask for a roads authority update I will just say outwith jurisdiction but recommended to follow national roads development guide or something if that sounds ok?

Can I ask a favour about another application 21/0057/PP. Not sure who has been allocated it but I am wondering if you guys will find it acceptable or not? I have attached a block plan. Basically it's at the junction of Glenburn Road and Caplethill Road, and we have received several objections on road safety. There are also cllr's involved, and its been called to board. I think we will be recommending refusal anyway, but would be grateful for roads input as well as if you have concerns as well it would add weight to our decision.

Hope that's ok, let me know if you want to discuss further.

Thanks again,

James Weir
Planner, Development Management
Renfrewshire House, Cotton Street, Paisley, PA1 1JD
Phone: 07483370666
Email: dc@renfrewshire.gov.uk
Web: Renfrewshire Council Website

Please consider the environment before printing this email

I am currently working from home so have no access to my phone line. Please contact me by email and I will respond as soon as possible.

Due to the ongoing issues related to the Coronavirus, unfortunately the Planning Authority are suspending the drop in duty planning officer service. Please contact Planning via email – dc@renfrewshire.gov.uk

Please note if you submitted your application via the eDevelopment portal all additional supporting documentation in relation to your application should be submitted in the same manner as the original application. Supporting Documentation should not be sent to the Case Officers email address or to the Council's dc@renfrewshire.gov.uk mailbox. If you have any queries with this process please contact 0300 3000 144.

-----Original Message-----

From: Stephen Boyle <stephen.boyle@renfrewshire.gov.uk>
Sent: 09 March 2022 15:55
To: James Weir <james.weir@renfrewshire.gov.uk>
Subject: FW: Consultation Letter for Planning Application Ref:22/0125/PP

Hi James,

Mark had sent this to John which has made its way to me as John is still off sick.

Looking at this application, it is a private road and is served off the trunk road. Is that correct? Not 100% sure we want or need to comment on this one? I know we had not been consulted on the 19/0516/PP application,

Let me know your thoughts, slightly reluctant to comment on it as any issues (construction, flooding, surface water onto the trunk road etc) may come back to us but it is private.

Thanks
Stephen

-----Original Message-----

From: Mark Higginbotham <mark.higginbotham@renfrewshire.gov.uk>
Sent: 08 March 2022 10:36
To: Stephen Boyle <stephen.boyle@renfrewshire.gov.uk>
Cc: John Everett <john.everett@renfrewshire.gov.uk>
Subject: FW: Consultation Letter for Planning Application Ref:22/0125/PP

Stephen
Can you do while John is off

Mark Higginbotham
Transportation & Development Manager
Environment & Infrastructure, Renfrewshire Council, Cotton Street, Paisley, PA1 1BR Mob 07432 105694

-----Original Message-----

From: Mark Higginbotham

Sent: 03 March 2022 12:03

To: John Everett <john.everett@renfrewshire.gov.uk>

Subject: FW: Consultation Letter for Planning Application Ref:22/0125/PP

For you John

Mark Higginbotham

Transportation & Development Manager

Environment & Infrastructure, Renfrewshire Council, Cotton Street, Paisley, PA1 1BR Mob 07432 105694

-----Original Message-----

From: dc@renfrewshire.gov.uk <dc@renfrewshire.gov.uk>

Sent: 02 March 2022 14:49

To: Mark Higginbotham <mark.higginbotham@renfrewshire.gov.uk>

Subject: Consultation Letter for Planning Application Ref:22/0125/PP

Dear Mark Higginbotham

Please find attached important information from Renfrewshire Council with regards to the planning application submitted on 22 February 2022.

The documentation relating to the application can be reviewed online through the Council's Public Access web site, if you have registered as a Consultee on the system you directly input your comments to the case through this web site.

Kind regards

Renfrewshire Council

Renfrewshire House, Cotton Street, Paisley, PA1 1JD

James Weir

From: Kirsteen Macdonald <Kirsteen.Macdonald@agsairports.co.uk>
Sent: 28 March 2022 10:37
To: James Weir
Subject: 22/0125/PP

Hi James

22/0125/PP

This application is below consultation height for us so we have no comment.

Kind regards

Kirsteen



Aberdeen | Glasgow | Southampton

Kirsteen Macdonald
Safeguarding Manager
Glasgow Airport

M +44 (0)7808 115 881
✉ kirsteen.macdonald@agsairports.co.uk
🌐 www.agsairports.co.uk

📍 Glasgow Airport, Erskine Court, St Andrews Drive, Paisley, PA3 2TJ

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APPELLANT'S SUBMISSIONS



Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 Fax: 0141 618 7935 Email: dc@renfrewshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100596629-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	SGA Studio		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stephen	Building Name:	
Last Name: *	Govan	Building Number:	272
Telephone Number: *		Address 1 (Street): *	Bath Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G2 4JR
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="Finlaystone House"/>
First Name: *	<input type="text" value="Arthur"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Macmillan"/>	Address 1 (Street): * <input type="text" value="Finlaystone Estate"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="Langbank"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Port Glasgow"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PA14 6TJ"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

Site Address Details

Planning Authority:	<input type="text" value="Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673466"/>	Easting	<input type="text" value="237578"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of dwelling house with associated access (in principle)

Type of Application

What type of application did you submit to the planning authority? *

- ☐ Application for planning permission (including householder application but excluding application to work minerals).
- ☒ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer to accompanying document

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Statement of Relevant Information Planning email 02-12-22

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/0125/PP

What date was the application submitted to the planning authority? *

22/02/2022

What date was the decision issued by the planning authority? *

08/07/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

The physical nature of the site and its location adjacent to the site which has previously gained approval (19/0516/PP) is critical in understanding the nature of this appeal. It is important to understand the arbitrary nature of the greenbelt boundary noted within the local development plan in person rather than on paper.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Stephen Govan

Declaration Date: 01/09/2022

Ref: SGA/2247/11
31 August 2022

Head of Legal and Democratic Services
Renfrewshire House
Cotton Street
Paisley PA1 1PR

Dear Sirs

**Application for Local Review - Planning Permission In Principle 22/0125/PP
Erection of dwellinghouse – Site on Western Boundary of Marypark Road, Langbank**

This letter accompanies an application for a Local Review following a Refusal of Consent for the application noted above.

The refusal was issued following a positive pre-application response and a lengthy wait beyond the statutory timescale for a decision following a formal submission. We are of the view that the decision does not take into account the physical characteristics of the site, practical use of the site within the surrounding context and the views stated during the pre-application discussions.

1.0 Physical characteristics of the site

The site consists of vacant land at the end of Marypark Road, Langbank which is contained within the outer edge of Finlaystone Country Estate. The site is contained on the edge of the greenbelt and straddles Policy P1 and Policy ENV1 boundaries. It was submitted previously for consideration as an additional housing site with respect to the preparation of the proposed local development plan. The assessment concluded that detailed development proposals should be considered as part of a planning application for development within the green belt as opposed to altering the boundary of the green belt.

The site forms part of an area of land which is divided by a derelict metal fence, which was presumably used historically to establish an arbitrary line for the greenbelt. The area to the East of the fence (plot 1) was granted permission for the development of a single dwellinghouse in 2019 as it is not within the greenbelt. The land to the West of the fence (plot 2) is the subject of this application and has been refused the same permission. However, they are effectively the same piece of land with the same characteristics and topography. The boundary dividing these 2 areas of land, which defines the greenbelt, has clearly been based on a line on the ordnance survey map and could easily have been the base of the incline at the rear of the plot 2 had that been shown on the ordnance survey.

There is no practical reason why permission should be granted for one site and not for the other.

2.0 Practical use of the Site

The site itself has no practical use as part of Finlaystone Estate, sitting at the base of a steep incline. The top of the incline is part of forestry maintained by the Estate, who are responsible for approximately 500 acres of greenbelt land. The site is largely a leftover section of land between the forestry and Marypark Road.

Continued....

As the extensive surveys commissioned to satisfy the preapplication conditions show, there are no special characteristics or areas of natural interest to be protected.

However, it sits at the end of a residential street and would provide a termination point to Marypark Road as well as being an excellent site for a house. It would also make use of a piece of land that is not used for any recreational or practical purpose and provide additional housing to the local community.

3.0 Pre-Application Discussions

Given the location of the site within the greenbelt, a pre-application enquiry was made on 26 November 2021 to establish the practicalities of development. The response was reasonably positive ("it would appear that development of the site for two dwellinghouses could be considered acceptable in principle") and outlined a series of constraints that would have to be overcome for the application to be viewed favourably. Based on this, the client spent approximately £10,000 pounds on various reports and surveys, all of which demonstrated the feasibility of the development and provided no reason to deny the application or the favourable response in the pre-application response. You will appreciate that the point of the pre-application enquiry was to avoid wasting significant time and funds on the preparation of an application that would not be approved.


None of these reports, or indeed the pre-application views, appear to have been considered during the determination of the application, which seems to have stopped with the location of the site within the greenbelt.

4.0 Conclusion

A great deal of information was submitted with the original application based on the pre-application advice given, all of which proves the feasibility of this development. The location within the greenbelt is clearly arbitrary and not related to the physical or practical aspects of the site.

We hope this information is of use in your review of the information previously submitted.

Yours faithfully



Stephen Govan
RIBA RIAS B(Arch)Hons DipArch

Subject: FW: Site adjacent to Marypark, Marypark Road, Langbank PA14 6UT
Date: Thursday, 2 December 2021 at 11:20:58 Greenwich Mean Time
From: James Weir
To: [REDACTED]
Attachments: 1720 PLANNING PREAPP 26-11-21.pdf, 1720-sk-01.pdf, 1720-sk-02.pdf, 1720-sk-03.pdf, Inset Map B Excerpt.jpg, MAPBHoustonLowRes.pdf

Good morning,

I refer to your email below regarding potential development proposals on a site at Marypark Road, Langbank.

Firstly with respect to the principle of development, it is noted that the site straddles the Policy P1 and Policy ENV1 boundaries. I understand that the site was submitted for consideration as an additional housing site with respect to the preparation of the proposed local development plan. The assessment concluded that detailed development proposals should be considered as part of a planning application for development within the green belt as opposed to altering the boundary of the green belt.

It is also noted that since then planning permission in principle was granted for development of a single dwellinghouse on the plot 1 area (see application 19/0516/PP).

Taking the above into consideration, it would appear that development of the site for two dwellinghouses could be considered acceptable in principle.

However there are a number of constraints on the site that would need to be overcome if an application is to be viewed favourably.

The plot 2 area is within the Finlaystone Estate Site of Importance for Nature Conservation (SINC). The site as a whole is also heavily wooded, with NatureScot advising that it falls within the Ancient Woodland Inventory and Native Woodland Survey. There is a presumption in favour of retaining the trees on site, and felling would not be supported solely on the basis of accommodating dwellinghouses. You would therefore need to work with the trees on the site, and any application would need to be supported by an ecology survey and a tree survey which identified tree protection zones and potential developable areas.

The status of the SINC and its ecological importance also could not be compromised. The ecology survey would be necessary to establish the value of this part of the SINC, and loss of ecological value or biodiversity would not be supported without suitable compensation. Any development proposal should seek to deliver biodiversity gain on the site.

The topography of the site would also appear to be challenging, with rocky outcrops potentially restricting the developable area.

The site is also at risk of flooding. It is noted that a flood risk assessment was approved as part of the assessment of application 19/0516/PP. The mitigation noted in this assessment would need to be considered, and the assessment may need reappraised given the additional development proposed.

Taking the above into consideration, my main concern would be the extent of 'developable footprint' remaining at the site once tree protection, ecology, topography and flooding constraints have been considered. It would need to be demonstrated through the planning application that the site is developable via the submission of the surveys outlined above.

I hope the above is of assistance. Please do not hesitate to contact me should you wish to discuss any of

the above further.

Kind regards,

James Weir
Planner, Development Management
Renfrewshire House, Cotton Street, Paisley, PA1 1JD
Phone: [REDACTED]
Email: dc@renfrewshire.gov.uk
Web: Renfrewshire Council Website

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I am currently working from home so have no access to my phone line. Please contact me by email and I will respond as soon as possible.

Due to the ongoing issues related to the Coronavirus, unfortunately the Planning Authority are suspending the drop in duty planning officer service. Please contact Planning via email – dc@renfrewshire.gov.uk

Please note if you submitted your application via the eDevelopment portal all additional supporting documentation in relation to your application should be submitted in the same manner as the original application. Supporting Documentation should not be sent to the Case Officers email address or to the Council's dc@renfrewshire.gov.uk mailbox. If you have any queries with this process please contact 0300 3000 144.

From: Stephen Govan [REDACTED]
Sent: 26 November 2021 14:46
To: DC <dc@renfrewshire.gov.uk>
Subject: Site adjacent to Marypark, Marypark Road, Langbank PA14 6UT

Dear Sirs

Please see attached a letter & associated drawings in relation to a proposed development at the address noted above.

We would be grateful for any views you can offer prior to the submission of a formal planning application. Please note we have attached the relevant plan from the LDP and an excerpt showing the site in question.

Regards

Stephen Govan
Director

INGRAM Architecture & Design
227 Ingram Street
Glasgow G1 1DA

M: [REDACTED]
T: 0141 221 5191
www.ingramarchitecture.co.uk

INGRAM Architecture & Design LTD Registered Office, 227 Ingram Street, Glasgow G1 1DA, registered in Scotland No 415706

Renfrewshire Council Website -<http://www.renfrewshire.gov.uk>

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Proposal Details

Proposal Name	100596629
Proposal Description	Erection of Dwelling house
Address	
Local Authority	Renfrewshire Council
Application Online Reference	100596629-001

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
2247 Statement of Relevant Information	Attached	A4
Planning email 02-02-22	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

My Ref:
Contact: James Weir
Telephone: [REDACTED]
Email: dc@renfrewshire.gov.uk
Date: 12 July 2022



Stephen Govan

Proposal: Erection of dwellinghouse with associated access (in principle)
Location: Site On Western Boundary Of Marypark, Marypark Road, Langbank, ,
Application Type: Planning Permission in Principle
Application No: 22/0125/PP

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.

You have the right to appeal against this decision to the Local Review Body and notes on how to appeal are attached.

Yours faithfully,

[REDACTED]

Alasdair Morrison
Head of Economy and Development

REFUSE Consent subject to the reasons

Ref. 22/0125/PP



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

Mr Arthur MacMillan
Finlaystone House
Finlaystone Estate
Langbank
Port Glasgow
PA14 6TJ

With reference to your application registered on 22 February 2022 for Planning Consent for the following development:-

PROPOSAL

Erection of dwellinghouse with associated access (in principle)

LOCATION

Site On Western Boundary Of Marypark, Marypark Road, Langbank,

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 Consent subject to the reasons listed on the reverse/paper apart.

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: 8 July 2022

Signed
Appointed Officer
on behalf of Renfrewshire Council

Ref. 22/0125/PP

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposed development does not comply with Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as it has not been demonstrated that there is a specific locational need for a dwellinghouse and the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.
2. The proposed development does not comply with Policy ENV2 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Trees, Woodland and Forestry and Local Designations as the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.

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.

Appendix 1

RENFREWSHIRE COUNCIL		Application No: 22/0125/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd: 22 February 2022
Applicant	Agent	
Mr Arthur MacMillan Finlaystone House Finlaystone Estate Langbank Port Glasgow PA14 6TJ	Stephen Govan Ingram Architecture & Design 227 Ingram Street Glasgow G1 1DA	
Nature of Proposals Erection of dwellinghouse with associated access (in principle)		
Site Site On Western Boundary Of Marypark, Marypark Road, Langbank,		
Description <p>This application seeks planning permission in principle for the erection of a dwellinghouse on a site to the west of Marypark House in Langbank. The site is accessed from Marypark Road which is a private single track road serving nine houses. Marypark Road is accessed from the A8 trunk road to the west of the site.</p> <p>The application site extends to approx. 700 square metres. It is situated in an area of woodland, with rising ground and a rocky outcrop to the west and south. To the east is another development plot on which planning permission in principle for a dwellinghouse was granted in 2019. The proposed house and the consented house would share the same access. Beyond the development plot to the east is Marypark House. Marypark Road bounds the site to the north with the A8 beyond.</p>		
History <p>Application No: 19/0516/PP Description: Erection of dwellinghouse and formation of access (planning consent in principle) Decision: Grant subject to conditions</p>		
Policy and Material Considerations <p><u>Adopted Renfrewshire Local Development Plan 2021</u> Policy ENV1 – Green Belt Policy ENV2 – Natural Heritage Policy P1 – Renfrewshire's Places Policy I1 – Connecting Places Policy I3 – Flooding and Drainage</p> <p><u>Draft New Development Supplementary Guidance</u> Delivering the Environment Strategy – Green Belt Development Criteria, Housing in the Green</p>		

<p>Belt, Local Designations and Trees, Woodlands and Forestry Delivering the Places Strategy – Creating Places Delivering the Infrastructure Strategy – Connecting Places, Flooding and Drainage</p> <p><u>Material Considerations</u> Renfrewshire's Places Residential Design Guide</p>
<p>Publicity</p> <p>The Council has undertaken neighbour notification in accordance with the requirements of legislation.</p> <p>An Advert was placed on the press on 9 March 2022 for the following reasons; Neighbour Notification.</p>
<p>Objections/Representation</p> <p>None received.</p>
<p>Consultations</p> <p>Environment & Infrastructure Services - (Roads) – No comments.</p> <p>Communities & Housing Services - (Environmental Protection Team) – Advisory note requested should ground disturbance uncover any contamination or unusual materials.</p> <p>Transport Scotland – No objections.</p> <p>Glasgow Airport Safeguarding – No comments.</p>
<p>Applicants Supporting Information</p> <p>Tree Survey – Trees within the site are entirely self seeded surviving among areas of invasive rhododendron. There are fourteen low quality trees and one medium quality cherry tree. The overall biological value of the plot is considered low.</p> <p>Ecological Constraints Survey – Proposed development may impact the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland. However, the effects are likely to be short term and mainly during construction works.</p> <p>If development is kept to the open area of the site, then it is likely that only limited limbing and felling of young trees would be required. The open area has previously been cleared and is now dominated by rhododendron.</p> <p>The site has suitable habitat for badgers and nesting birds. However, no evidence of badgers was identified on the site. Two trees were found to be suitable for roosting bats. However again there is no evidence that they are being used by bats.</p> <p>Various recommendations are made with respect to the development of the site. These include vegetation clearance outwith the bird nesting season, retention of the vegetation line along the</p>

northern edge of the site, and timing of works on site to avoid disturbance to foraging or commuting bats.

Flood Risk Assessment – The site is at medium to high risk of flooding from fluvial sources and failure of drainage infrastructure. Mitigation measures include forming a maintenance wayleave along the eastern boundary of the site, raising ground levels to mimic those along the eastern boundary, a 200mm freeboard, and confirming responsibility for maintenance of a culvert. The development will not increase the flood risk at neighbouring properties and is in general accordance with the principles set out in Scottish Planning Policy.

Assessment

The application site is covered by both Policy P1 and Policy ENV1 designations within the adopted Renfrewshire Local Development Plan 2021. The Policy P1 area relates to the proposed access which would be shared between the proposed dwellinghouse and the dwellinghouse approved on the plot to the east. Most of the site, including the area on which the dwellinghouse will be sited, is covered by Policy ENV1.

As most of the site area is covered by Policy ENV1, it is considered that assessment against this policy should take precedence.

Policy ENV1 states that development within the green belt will be considered appropriate in principle where it is a housing land shortfall remedy which satisfies Policy 8 of Clydeplan or is in support of certain uses. It also states that development within the green belt will only be considered acceptable where it can be demonstrated that it is compatible with the provisions of the New Development Supplementary Guidance.

A housing land shortfall has not been identified. Therefore, the proposal requires to be assessed against the other criteria that allow development of this type to come forward and the criteria within the draft New Development Supplementary Guidance (SG).

The SG states that development can be acceptable in principle where it is for a purpose in support of acceptable green belt uses. Green Belt Development Criteria provides a set of guidance that all development require to meet, including that traffic and access infrastructure can be sensitively accommodated and that it has been demonstrated that there has been careful consideration of the siting, design, scale and grouping of any buildings and infrastructure. Further to this guidance Housing in the Green Belt states residential development proposals require to be assessed against the following criteria.

Development is required to maintain and support an established activity

The development is not required to maintain or support an established activity that is suitable in the green belt.

There is a need for the residential use to be located outwith the settlement

It has not been demonstrated that there is a need for the development to be located outwith the settlement.

Buildings which have special architectural, traditional or historic character may be converted for residential use

The development does not involve the conversion of an existing building.

The proposal demonstrates outstanding quality of design, is of an appropriate scale within its setting, and makes a positive contribution to the site and surrounding area

As the application is in principle only no design details have been provided. The applicant has provided a site plan which shows a dwellinghouse could be accommodated on the plot with respect to its dimensions. There is not any significant tree coverage on this part of the site, and only self-seeded trees of low quality would have to be removed to accommodate the development. The topographical constraints are acknowledged, and the submitted levels plan shows that most of the rear curtilage would be on steeply sloping ground. Whilst it is noted that a similar topographical relationship was accepted at the neighbouring plot it is also noted that the ecological survey submitted has indicated that this proposal may impact the integrity of the SINC and the ancient woodland that the site is located within.

The proposal integrates with, complements and enhances the established character of the area

As the application is in principle only no design details have been provided. However, as the plot is enclosed by sloping ground and tree coverage to the south, east and west and the A8 trunk road to the north it is unlikely that development would be overly visible. However, it has the potential to have an adverse impact on the SINC and the ancient woodland.

Replacement dwellings should reflect the specific character of the location, fit well with the surrounding landscape and achieve a high design standard

The proposed development does not constitute a replacement dwellinghouse.

It is noted that the applicant has submitted survey work relating to trees, ecology, topography, and flood risk which determines that the site's constraints could potentially be overcome. However, the proposal does not meet the criteria required in assessment of this type of development for the above reasons.

The development must also be assessed against the green belt development criteria.

There is no loss of prime quality agricultural land associated with the proposals. It is also not anticipated that the development poses a significant pollution risk with respect to public water supply and water courses.

There is no requirement to provide access to open space.

Whilst it is noted that an argument has been made that the development can be accommodated with limited impact on identified nature conservation interests there is potential that the development may impact the integrity of the SINC and the ancient woodland that the site is located within.

The northern boundary of the site is defined by a stone wall. Removing part of the wall to form an access has already been accepted through the approval of application 19/0516/PP. Both the proposed dwellinghouse and the previously approved dwellinghouse would share the same access.

It is unlikely that the development would have a significant adverse impact on landscape character given the characteristics of the site. The proposed development continues the ribbon style of residential development along the southern side of Marypark Road. Further development to the south and west of the site wouldn't be possible given the topography and tree coverage which encloses the site.

The applicant has advised that a connection could be made to the public water supply and drainage network. Further details regarding the disposal of foul and surface water could be controlled via condition.

Policy ENV2 states that development proposals must consider the potential impact on natural heritage. Further guidance is provided in the SG on Trees, Woodlands and Forestry and Local Designations.

The ecology report and tree survey submitted with the application conclude that the site is of low natural heritage value despite its location within an ancient woodland and SINC. It is notable from the site visit that the site has been cleared of trees in the past, and invasive rhododendron is now present. The trees which are present are self-seeded, with the tree survey noting that the majority are of low quality. The ecology report advises that the development may impact the integrity of the SINC and the ancient woodland but that the effects are likely to be short term and mainly during construction works. Whilst it is recognised that the applicant seeks consent in principle for the erection of a dwellinghouse it is considered that to allow any development to be formed substantial works would be required and that there is insufficient information to demonstrate that the development would not affect the integrity of the ancient woodland and SINC has not been established.

Policy P1 states that within Renfrewshire's Places there will be a general presumption in favour of a continuance of the built form. As noted above the principal assessment has been undertaken against policy ENV1 as the bulk of the site is covered by this designation. However, Policy P1 is still considered to be relevant with respect to matters of amenity and compatibility.

The Environmental Protection team have raised no concerns with respect to statutory nuisances such as noise affecting the site. The indicative site plan also demonstrates that the relationship between the proposed dwellinghouse and the neighbouring plot is likely to be acceptable with respect to maintaining sufficient levels of privacy and daylight.

Policy I1 states that all development proposals require to ensure appropriate provision for accessibility.

In this instance the Environment and Infrastructure Service (Road) has not offered any formal comments as the development falls outwith their jurisdiction (the site is serviced from a private road which connects to a trunk road). However, they have recommended that any development is undertaken in accordance with the standards set out within the National Roads Development Guide.

It is noted that Transport Scotland have not objected to the proposals.

With respect to Policy I3, the Flood Risk Assessment confirms that the presence of a culvert to the southeast of the site is not a barrier to development subject to the incorporation of some recommendations. The development will not increase the flood risk at neighbouring properties and is in general accordance with the principles set out in Scottish Planning Policy.

In conclusion, the applicant has demonstrated the principle that the development plot could accommodate a dwellinghouse. A continuation of the existing development pattern along the southern side of Marypark Road is not considered to be undesirable. The topography and woodland coverage to the south and west largely screens the site from external vantage points.

However, the proposal does not comply with the adopted Renfrewshire Local Development Plan or the draft New Development Supplementary Guidance as it has not been demonstrated that there is a specific locational need for a dwellinghouse in this green belt location and the details provided of the development are such that it has not been fully demonstrated that the development would not have an adverse impact on the integrity of the SINC or the ancient woodland given the works required to form such a development. It is therefore considered that the application must be refused.

Index of Photographs

A site visit has been undertaken on 13 December 2021, and photographs relevant to the application have been archived.

RECOMMENDATION

Refuse.

Reason for Decision

1. The proposed development does not comply with Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Green Belt Development Criteria and Housing in the Green Belt as it has not been demonstrated that there is a specific locational need for a dwellinghouse and the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.
2. The proposed development does not comply with Policy ENV2 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Trees, Woodland and Forestry and Local Designations as the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.

Alasdair Morrison

[REDACTED]

[REDACTED]

Applicant: Mr Arthur MacMillan	Ref. No: 22/0125/PP
Site: Site On Western Boundary Of Marypark Marypark Road Langbank	Officer: James Weir

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	Checked Paper/DMS (Officer) ✓	Stamped DMS (BS) ✓
1720(2-)01 A	Site Plan as Existing	✓	✓
1720(2-)02 B	Site Plan as Proposed	✓	✓
1720(2-)03	Existing and Proposed Block Plan	✓	✓
AP1579/Topo/01	Topographical Survey	✓	✓
1720(2-)00	Location Plan	✓	✓

Officers Initials: JW

Business Support Initials: __DM__

RENFREWSHIRE COUNCIL <u>Town and Country Planning (Scotland)</u> <u>Act 1997</u>	
Application No. 22/0125/PP	
REFUSED on 08.07.2022	
Signed by 	
On behalf of Renfrewshire Council <hr/>	

