

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

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.

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

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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__

<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. 22/0125/PP</p>	
<p>REFUSED</p> <p>on 08.07.2022</p>	
<p>Signed by </p>	
<p>On behalf of Renfrewshire Council</p> <p>_____</p>	