

MICHAEL S EVANS, BA (Econ), Dip TP, MRTPI, MCM

Planning Consultant



"TY-NEWYDD"
11 MURCHIE DRIVE
KINGS MEADOW
PRESTWICK
KA9 2ND

Tel: [REDACTED]
E-mail: [REDACTED]

Our Ref: MSE/Ren

17th April 2023

By e-mail to: democratic-services@renfrewshire.gov.uk

For the attention of Democratic Services
Renfrewshire Council
Renfrewshire House
Cotton Street
PAISLEY
PA1 1TT

Dear Sirs

**PROCEDURE NOTICE OF RENFREWSHIRE COUNCIL LOCAL REVIEW BODY –
REQUEST FOR FURTHER INFORMATION**

Proposal Location: Erection of a dwellinghouse (in principle)

Site: 50 metres East of St Bryde's Cottage, Shields Holdings, Lochwinnoch

Application Type: Planning Permission in Principle

Application No: 22/0399/PP

I refer to the 'Planning Authority Response to Request for Further Information' received by e-mail by Nick Hobson, Agent, on 4 April. I have been instructed by the Applicant, Ms Marna Murdoch, formerly of 1 – 2, 23 Redlands Lane, Kelvinside, Glasgow, G12 0AF but now of 5 Capel Avenue, Newton Mearns, Glasgow, G77 6EL, to consider the points made by the appointed officer in her response dated 4 April.

In her letter of 8 February to Heads of Planning regarding the Transitional Arrangements for National Planning Framework 4, the Scottish Government's Chief Planner made the following comment in relation to Applying NPF Policy:

'Section 25 of the 1997 Act requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. Application of planning judgement to the circumstances of an individual situation remains essential to all decision-making, informed by principles of proportionality and reasonableness'.

The appointed officer suggests that six policies of NPF4 are 'considered to be relevant', namely:

- Policy 1 - Tackling the climate and nature crises.
- Policy 2 - Climate mitigation and adaptation
- Policy 3 - Biodiversity
- Policy 8 - Green Belts
- Policy 16 - Quality homes
- Policy 17 - Rural homes

He has, however, provided some detail in responses to only three of these, i.e. 8, 16 and 17, and my comments are as follows:

Policy 8 – Green Belts

Response

Policy 8 has, in effect, replaced Clydeplan Policy 14 but the strategic objectives that underpin the core values of policy remain similar. What is less clear is that NPF4, Policy 8, has completely replaced LDP2, Policy ENV1. On that basis therefore, in relation to the Green Belt, our understanding is that the Council's primary strategic concern, which hasn't been changed by the introduction of NPF4, Policy 8, is that, while Green Belt designation is not in place to prevent development from happening, and while identifying supportable uses, the important consideration is that any proposed development does not undermine the core role and function of the Green Belt and, in particular, the intended Policy Outcomes of NPF4, Policy 8, in that the proposals do not represent unsustainable growth, will not impact negatively on the character, landscape and natural setting and identity of settlements, nor on nature networks and land managed to help tackle climate change.

Policy 8 identifies a number of key policy connections that we consider to be relevant in this case, namely:

(i) **Policy 9, Brownfield, vacant and derelict land and empty buildings**

The Policy Intent is 'To encourage, promote and facilitate the reuse of brownfield, **vacant**.... land, etc'.

The site is vacant and has been for a considerable period of time. It is not recorded on the Council's Vacant and Derelict Land database but this is understandable due to the urban focus of this particular survey.

(ii) **Policy 17, Rural Homes**

This is returned to later but suffice to state at this stage that it does introduce the requirement for LDP2s to include '**tailored approaches to rural housing**' which is not currently the case in Renfrewshire. Criterion (ii) refers to the reuse of brownfield land. The site is not brownfield but it does qualify as vacant under the terms of Policy 9.

(iii) **Policy 29, Rural Development**

Policy 29 advises that LDPs' spatial strategies should set out the appropriate approach to development in rural areas which reflects the identified characteristics. The proposals are based on a careful consideration of topography, landscape setting and the settlement pattern in the immediate area.

Criterion (b) states that '*development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area*'.

Although these proposals are in principle, we maintain that the information already submitted confirms that this would be the outcome.

With the above policies collectively providing, in effect, an overall policy context, it is our contention, as previously stated in the Supporting Statement that formed part of refused Planning Application 22/0399/PP and in the recently submitted Supporting Statement that forms part of this Request for Review, that the proposals are not entirely incompatible with the requirements of policy, and that their development would therefore not significantly implicate or, indeed, undermine the

effectiveness of these policies here or elsewhere in the LDP area. The strategic objectives of Greenbelt Policy would not be compromised.

In view of the particular locational and physical characteristics of the site which have not been disputed by the appointed officer, it is difficult if, that is, they were treated on their own particular merits to conclude otherwise.

Policy 16 – Quality Homes

Policy 17 introduces the requirement for LDPs to include ‘tailored approaches to rural housing’ and goes further to state ‘and, where relevant, include proposals for future population growth – including provision for small-scale housing ...’

The Council’s HNDA 3 divides Renfrewshire into five Housing Market Areas. The proposed site falls within the West Renfrewshire Housing Market Sub Area which includes the villages of Lochwinnoch, Howwood and Kilbarchan, mentioned in the appointed officer’s response. **There has not yet been an assessment of housing needs at Renfrewshire Housing Market Sub Market Area level and certainly not at the level of individual villages.**

The bulk of West Renfrewshire is countryside and therefore classified as rural, and all of it is Green Belt.

The essentially top-down approach to the allocation of sites shown in LDP2 is not therefore the outcome of a ‘tailored approach to rural housing’.

The proposed site, which is for a single dwelling only, in our opinion, as confirmed in the Supporting Statement for Planning Application No 22/0399/PP, and further in our Supporting Statement forming part of the Request for Review, even in the absence of such a tailor-made policy, presents no threat to the strategic objectives of Green Belt Policy, satisfying, as it does, all of the requirements relating to sustainability.

Policy 17 – Rural Homes

The Council’s response recognises that the site falls within a ‘rural area’. Policy 17 recommends that LDPs should set out tailored approaches to rural housing and, where relevant, include proposals for future population growth, including provision of small-scale housing.

Current LDP policy re the provision of housing in rural areas is not based on such a bottom-up approach.

While, as a result, not having, as yet, a clear picture of the details of any responses to Policy Principle, we maintain that the proposals would not be incompatible with the ambitions of Policy Intent and Policy Outcomes. Criterion (a) states that 'Development proposals for new homes in rural areas will be supported where the development is suitable scaled, sited and designed to be in keeping with the character of the area'. The appointed officer in his Report of Handling re the refusal of planning application, agreed that 'the applicant has demonstrated in principle that the development plot could accommodate a dwellinghouse' without negative implications for the context.

While the site is not brownfield, it is vacant within the terms of connected policy, Policy 9, Brownfield, vacant and derelict land, where it is stated that the Policy Intent is '*to encourage, promote and facilitate the reuse of brownfield, **vacant**... land, etc.*'

While Policy 17 includes reference to a range of acceptable residential uses in rural areas, which would cumulatively significantly limit the opportunities for new housing, the primary objective of Criterion (a). How this, however, ties in with the advice provided that LDPs '*should be informed by an understanding of population change over time, locally specific needs and market circumstances in rural ... areas*' is not clear. Indeed, the advice suggests the provision for small-scale housing that is not all intended for essential workers or retired farmers?

Other Policies Referred To

The Planning Authority's Response identifies the following policies as relevant to this application but makes no further comment.

Policy 1 – Tackling the climate and nature crises

There is no disputing the relevance of Policy 1 since its guidelines would, it is understood, be intended to be universally applied to all applications.

Policy 1 states that '*when considering all development proposals, significant weight will be given to the global climate and nature crises*'.

Since, according to NPF4, the 'key policy connections' for Policy 1 are 'all other policies', it has to be assumed that the 'other policies' referred to in the Planning Authority's Response are the ones considered to be those most likely negatively implicated by the proposals relative to the requirements of Policy 1.

We do not agree and, as stated elsewhere, in our opinion these proposals would not contribute to any undermining of the aspirations of Policy 1 in relation to the climate and nature crises.

Policy 2 – Climate mitigation and adaptation

Policy Intent is given as *'To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change'*.

This is an application in principle but mindful of the issues focused on in Policy 2, an indicative response to circumstances was included as part of the planning application. A 'could this work' approach was taken and the results were generally supported by the Determining Officer in his Report of Handling. Should consent be granted, then the required detail would form part of any subsequent application.

Policy 3 – Biodiversity

The 'Policy Intent' is *'To protect biodiversity loss, deliver positive effects from developments and strengthen nature networks.'*

Criterion (c) states that *'Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.'*

The appointed officer has already agreed in his Report of Handling that the proposals would not have significant negative implications for wildlife. If, however, there are any doubts about this, Appendix 1 – Additional Information for Assessment – Development Guidance provides guidelines for Ecological Appraisals. If, on a precautionary basis, the Planning Authority would be seeking a 'phase 1 habitat survey', then this could be made a condition of any consent.

Should you require any further information or explanation in relation to the
aforementioned, please don't hesitate to get in touch.

Yours faithfully



Michael S Evans
Planning Consultant

cc Marna Murdoch
Nick Hobson