

Notice of Meeting and Agenda Local Review Body.

Date	Time	Venue
Tuesday, 26 March 2024	14:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

MARK CONAGHAN
Head of Corporate Governance

Membership

Councillor Jim Paterson (Convener):

Councillor Chris Gilmour: Councillor Neill Graham: Councillor Bruce MacFarlane:
Councillor Iain Nicolson:

Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online

at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please email
democratic-services@renfrewshire.gov.uk

Webcasting of Meeting

This meeting will be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed. To find the webcast please navigate to

<https://renfrewshire.public-i.tv/core/portal/home>

Apologies

Apologies from members.

Declarations of Interest and Transparency Statements

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

- | | | |
|----------|-----------------------|--------------|
| 1 | Procedure Note | 1 - 2 |
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LRB02.24

- | | | |
|-------------|-------------------------------|---------------|
| 2(a) | Appellant's Submission | 3 - 90 |
|-------------|-------------------------------|---------------|

Submit documentation in support of a review of the Planning Authority's decision to refuse planning permission for the erection of single storey dwellinghouse and associated works at site on Eastern Boundary of No 2 Johnshill, East End Lochwinnoch. (23/0179/PP)

- | | | |
|-------------|--|-----------------|
| 2(b) | Planning Authority's Submission | 91 - 186 |
|-------------|--|-----------------|

Submit documentation on which the Planning Authority decided to refuse planning permission for the erection of single storey dwellinghouse and associated works at site on Eastern Boundary of No 2 Johnshill, East End Lochwinnoch. (23/0179/PP)

- | | | |
|-------------|--------------------------------|------------------|
| 2(c) | Further Representations | 187 - 556 |
|-------------|--------------------------------|------------------|

Copy of further representations received from interested parties in respect of proposals.

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| 2(d) | Appellant's response to the Further representations received from Interested Parties | 557 - 558 |
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Appellant's response to the Further Representations received from Interested Parties.

2(e) Procedure Notice seeking further information and Appointed Officer's response. 559 - 564

Copy of Procedure Notice seeking further information setting out what matters within the further representations received from interested parties that the appointed officer considers were not before them when they made their decision and also, in the appointed officers' view, whether these had been raised pursuant to a requirement or an entitlement to have regard to the development plan or any other material consideration together with the response from the appointed officer to the request for further information.

2(f) Appellants comments in respect of the Appointed Officer's response to Procedure Notice seeking Further Information 565 - 566

Appellant's comments in respect of the Appointed Officer's response to Procedure Notice seeking Further Information.

2(g) Procedure Notice seeking Further Information and Tree & Woodland Officer's response. 567 - 570

Copy of Procedure Notice seeking Further Information providing an assessment of the proposal and the revised construction techniques in relation to the potential impact on trees, specifically whether there would be a loss of trees as a result of the development or construction techniques or whether there would be an impact on the trees which would result in future loss of trees together with the Tree & Woodland Officer's response.

2(h) Appellants comments in respect of the Tree & Woodland Officer's response to Procedure Notice seeking Further Information 571 - 584

Appellants comments in respect of the Tree & Woodland Officer's response to Procedure Notice seeking Further Information. (Not available - copy to follow) The deadline for comments is close of business on 22 March 2024.

3(a) Appellant's Submission 585 - 636

Submit documentation in support of a review of the Planning Authority's decision to refuse planning permission for the erection of dwellinghouse and livestock barn (in principle) at Site 500 Metres South West Of Undercraig Farm House, Galahill Road, Langbank. (23/0158/PP)

3(b) Planning Authority's Submission 637 - 690

Submit documentation on which the Planning Authority decided to to refuse planning permission for the erection of dwellinghouse and livestock barn (in principle) at Site 500 Metres South West Of Undercraig Farm House, Galahill Road, Langbank. (23/0158/PP)

A. At the meeting

1. When a Notice of Review is submitted, the role of the Local Review Body (“the LRB”) is to consider the planning application afresh and reach a decision.
2. The planning officer’s original decision forms part of the documents before LRB when it is making its decision, however, the LRB is not reviewing the planning officer’s original decision. Although termed a ‘review’, the decision of the planning authority when acting as the LRB is still the decision of the authority on a planning application and the same considerations apply to the factors that must be taken into account when making a decision as they would in the case of a first determination.
3. Section 37(2) of the Town and Country Planning (Scotland) Act 1997 sets out that when the planning authority is dealing with an application for planning permission, the planning authority require to have regard to the provisions of the development plan and other material considerations. This applies to the decision of the LRB today.
4. The Planning Adviser to the LRB today is not here to speak on behalf of the Planning Service about the original decision. Their function is to provide impartial planning advice to the LRB.
5. There will be up to five Councillors on the panel, made up from members of the Planning & Property Policy Board..
6. No parties have the right to speak at the meeting.

B. Procedural format

1. The members are expected to have read the papers and documents relevant to the application and noted the relevant planning policies in advance of the meeting. The Convener will ask the members to confirm whether they have done so.
2. Members have the opportunity to ask the Planning advisor for advice in relation to planning matters that are relevant to the Notice of Review, but do not have to do so.
3. If new material has been submitted panel members will decide whether this new material can be accepted. The Legal Advisor will advise on the test to be applied when deciding whether new material can be accepted.
4. The panel will consider whether the applicant has asked for further procedure in this case and will take the decision whether they have sufficient information before them to determine the notice of review, or whether further procedure is required.
5. If the panel decide that they do not have enough information to determine the notice of review at the present time, then they will decide whether there is a requirement for:
 - a. Further written submissions
 - b. Site visit
 - c. Hearing

Note: Upon the decision being taken regarding the appropriate action (at a, b, and c above) today's meeting about this matter will be brought to a close, with further consideration of the notice of review continued to a future meeting of the LRB.

6. If the panel determine that there is sufficient information within the documentation to reach a decision on the Notice of Review today, the Local Review Body will consider the following points:
 - a. The planning policies that apply to the application - noting if the application was contrary to the Local Development Plan;
 - b. The applicant's reasons for requesting a review, as stated in the notice of review;
 - c. Any representations raised by other parties;
 - d. Any material considerations identified by the applicant in the notice of review documents to support a departure from the policy and details of what these are; and
 - e. Any material considerations not mentioned by the applicant which could justify a departure from the policy.

C. Decision

1. If the Local Review Body decides to grant planning permission, it will:
 - a. Specify the reasons for granting planning permission; and
 - b. Detail any conditions to be attached to that planning permission and the reasons for those conditions.
2. If the Local Review Body decides not to grant planning permission, it will:
 - a. Specify the reasons for refusing the application; and
 - b. If conditions were suggested to allow grant, confirm why they were not prepared to grant with those conditions.

APPELLANT'S SUBMISSIONS

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS; THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008; AND THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Please use BLOCK CAPITALS if completing in ink

The completed notice of review and any supporting documents should be sent by e-mail to lrb-planning.cs@renfrewshire.gov.uk, or by mail or by hand to the Head of Corporate Governance, Finance & Resources, Renfrewshire Council, Renfrewshire House, Cotton Street, Paisley, PA1 1TR.

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be through this representative: ☒

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes No
☒ ☐

Planning authority

Planning application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

Note. This notice must be served on the Council within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

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.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☐
4. Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

n/a

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

n/a

Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see attached Appeal Statement dated 24th November 2023.

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

n/a

List of documents and evidence

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.

- Appeal Statement
- Planning, Design & Access Statement
- Tree Survey
- ATK Foundation Report (Dec '22) & Revision A (Nov '23)
- Planting Plan
- Site Section Plan
- Application Plans
- Decision Notice & Report of Handling (Delegated)
- Application Form

Note. The Council will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at Renfrewshire House, Cotton Street, Paisley until such time as the review is determined. It may also be available on the Council's website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

Declaration

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the Council to review the application as set out on this form and in the supporting documents.

CCC Planning Consultancy

Date

24/11/23

For office use only:

LRB Reference No:

Planning Appeal Statement
Erection of Single Storey Dwellinghouse and Associated Works
Site On Eastern Boundary of No 2 Johnshill, East End, Lochwinnoch
Application No. 23/0179/PP
Mr David Johnston



Visualisation of Proposed Development

24 November 2023

Introduction

This statement relates to an application for review to Renfrewshire Council's Local Review Body under Section 43A(8) of the Town and Country Planning Scotland Act 1997 (as amended) of the Council's delegated decision to refuse planning permission for the erection of a single storey dwellinghouse on land at the junction of Johnshill and East End, Lochwinnoch.

The planning application was refused on 8 September 2023 and this application for review is therefore competent, having been submitted within three months of the date of the decision notice.

Existing Site and Surrounding Area

The appeal site is situated within Lochwinnoch. The site is located adjacent to Auld Simon on the east side of East End Road at the junction between East End and Johnshill.

The appeal site extends to approximately 0.15 acres and generally slopes downwards from north to south and west to east. The site contains 14 mixed deciduous trees in various state of decline with the peripheral trees overhanging the public highway and the adjacent properties bordering it. There are remains of a historic stone wall at the site.

It should be noted that the appeal site is a brownfield site (identified as 'white land' on the Proposals Map) within the existing settlement of Lochwinnoch. The site is approximately 250 metres from the designated town centre in Lochwinnoch, which sits to the south-west. The site is within an existing residential area and surrounded by housing on three sides. The land to the north, across East End comprises the former B listed St Winoc's Church, beyond which lies further housing. The housing that has been built north of the church is of modern construction and the detached dwellings sit within a mature townscape, within the conservation area.

It is acknowledged that the application site is within Lochwinnoch Conservation Area. It is further acknowledged that any development proposed in this location may have an impact on the setting of the nearby B listed St Winoc's Church and Churchyard.

In assessing potential impact, there are four key questions that are particularly relevant when considering the relationships between landscapes and historic buildings:

- What does the location of the historic building contribute to its importance or character, for example through the siting of the building or aesthetic considerations?
- How does the landscape character of the setting contribute to our understanding of its importance or character, for example through derelict and/or current land uses, or views to and from the building.
- What is the historical importance of the site and/or landscape on a local, regional or national level?
- Does any proposed development adversely change any of the foregoing?

These tests can then be applied to determine the extent to which any change or development might be acceptable within the wider historic envelope.

From a review of old Ordnance Survey Maps (refer to submitted Planning, Design and Access Statement) it is evident that, although the site is currently clear of development, the site was previously developed for housing. The 1856 Ordnance Survey Map for Lochwinnoch (see Figure 1

below) shows a row of residential properties along the south side of East End opposite the church leading to the foot path (Skippers Path) that leads from East End to Gates Road. The parcel of land to the immediate south-east was at that time vacant and has subsequently been developed, as I understand it by the local authority; to the rear of the local authority housing there are a few dilapidated timber sheds and garages which would have presumably served the adjoining housing.



Figure 1 - OS extract from 1856 showing appeal site identified with red dot.

The historic setting of Auld Simon was as a building at the heart of a township, as seen in Figure 1. The historic building pattern remains in part to Johnshill. The new properties on the west side of Johnshill assist in some way in restoring and maintaining this historic setting. Similarly building or buildings on the south side of East End would be consistent with the historic setting of Auld Simon. On the scale of buildings to the south it is likely they were single storey cottages, or possibly very low two storey buildings similar to the couple remaining on Johnshill.

The fact is, that the appeal site is a previously developed brownfield site. Furthermore, the site is not subject of an environmental designation.

Policy 7 '*Historic assets and places*' and Policy 9 '*Brownfield, vacant and derelict land and empty buildings*' of National Planning Framework 4 (NPF4) are relevant to the assessment of this proposal.

Policy 7 '*Historic assets and places*' seeks to protect and enhance historic and environment assets and places, and to enable positive change as a catalyst for the regeneration of places. It considers that development proposals within conservation areas should ensure that existing natural and built features which contribute to the character of the conservation area and its setting be preserved and enhanced and that these should be preserved in situ where possible. This includes the retention of structures, boundary walls, railings, trees and hedges.

The thrust of this policy is not to prevent change, however, but rather to manage it in a way which avoids or minimises any adverse impacts on heritage assets.

Policy 9 '*Brownfield, vacant and derelict land and empty buildings*' seeks to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development. Development proposals that will result in the sustainable reuse of brownfield land will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.

Tree removal recommended by an arboriculture report accompanying the planning application has been consented through tree works application ref. 22/0426/TC and this has been undertaken.

Renfrewshire Council issued a notice under the Roads (Scotland) Act 1984 that overhanging trees are to be cut back to a minimum of 5.5 metres above the road and at least 1 metre from the edge of the carriageway.

Policy P1 of the adopted Renfrewshire Local Development Plan August 2021 (LDP) presumes in favour of a continuance of the built form provided that such developments are compatible with and complementary to existing uses and cause no significant harm in line with the criteria of the New Development Supplementary Guidance (SG). It considers that development proposals require to ensure that the layout, built form, design and materials of all new developments will be of a high quality; density will require to be in keeping with the density of surrounding areas; surrounding land uses should not have an adverse effect on the proposed residential development and; existing landscape and ecological features should be retained where they make a positive contribution to the character of the area.

It is accepted that the existing trees on the site are an ecological feature which make a positive contribution to the character of the area. However, it is also important to understand the history of the site and consider whether the redevelopment of part of the site would enhance the character of the conservation area.

Proposal

The proposed dwellinghouse would be single storey, have a footprint of approximately 90 square metres, with a traditional style symmetrical frontage and double pitched roof. It would be finished in render with corner quoin blocks and exposed sandstone lintels, jambs and sills on the front elevation. The front elevation, however, would be finished throughout in stone. The roof would be finished in natural slate.

The proposed dwellinghouse would face onto and would be positioned 1 metre from the boundary with East End and would be positioned centrally within the site (refer to submitted plan showing the footprint of the proposed dwellinghouse and the remaining trees).

The existing railing will be maintained and repaired to the west frontage and a new sandstone wall bounding East End Road will be erected along the north frontage. The stonework will match the boundary wall opposite the site, i.e. The Auld Simon stone wall.

The intention is to recreate the historical streetscape view from Johnshill, with The Auld Simon stone wall and ruins to the left and the low profile, stone, local vernacular cottage to the right (refer to front cover of appeal statement showing a visual of the proposed development).

Access would be taken from the north-east corner of the site, where off street parking for two cars, a turning area and storage for refuse and recycling facilities would be provided. Pedestrian access would be linked to existing footways.

To retain the original aesthetics of the area and the tree line running from The Auld Simon grounds, through the proposed development **NO** trees will be felled and a designated area of the site to the west (approximately 25% of the overall site) with a number of existing mature trees (tag nos. 862 to 864 as referred to in the arboreal report) will be maintained and similar native species will be planted to enhance and ensure the future of the wooded site, attract wildlife and ensure that the site retains the charm and history of this part of the village.

All retained trees would undergo recommended remedial tree management works.

There is an opportunity to undertake proper tree management on the remaining trees, introduce new appropriate species planting and ensure that the long-term benefits of the trees on the townscape can be properly maintained (refer to submitted planting plan).

The delegated report of handling states *"In terms of design and facing materials the dwellinghouse is of a vernacular style, albeit deeper than traditional dwellings it is referencing. However, it has good quality finishes including stone, wooden windows, and a slated roof which is appropriate for the area."*

Reasons For Refusal

Planning permission was refused for the following reasons:

- 1. That the proposed development is contrary to the provisions of Policy 7 'Historic Assets and Places', of NPF4 as the proposed development is likely to lead to the loss of woodland, a natural feature which makes a positive contribution to the character of the area.**

It will be evident from review of the submitted plans that the proposed dwellinghouse is of modest scale and that it is proposed to be constructed using traditional materials. Indeed, the delegated report of handling states that the *"dwellinghouse is of vernacular style....has good quality finishes....which is appropriate for the area."*

No trees will be removed to enable the development to take place. Without proper tree management the process of decline will increase rapidly. New native planting is proposed to ensure that tree cover is maintained in the long term in a manner which is appropriate and suitable to the setting.

It is important to recognise that the site is a brownfield site with no environmental designations.

- 2. That the proposed development is contrary to the provisions of Policy 9 'Brownfield land, vacant and derelict land, and empty buildings' of NPF4 as the application site is considered to have high ecological value as it has been naturalised with woodland and the proposal is likely to lead to the loss of trees, which make a positive contribution to the character of the area.**

The accompanying tree survey report (submitted in response to the notice issued under the Roads (Scotland) Act 1984 by the Council's Environment and Infrastructure Services), observed that the tree stock is in various states of decline with the peripheral trees overhanging the public highway and the adjacent properties bordering it. The report states:

"The mature trees and ground cover are heavily cloaked with ivy and roadside trees are substantially overhanging the carriageway....some trees are in poor condition and recommended for removal. Chalara Ash dieback has also colonised the site."

Only regular and remedial tree husbandry will help combat the likelihood of branch failure and reduce associated concerns.

There is an opportunity to undertake proper tree management on the remaining trees, introduce new appropriate species planting and ensure that the long-term benefits of the trees on the townscape can be properly maintained.

The proposed dwellinghouse would be located centrally within the site in an area where there are no trees.

- 3. That the proposed development is inappropriate and contrary to the provisions of Policy P1 of the adopted Local Development Plan and the New Development Supplementary Guidance Places Development Criteria given the proximity of the trees to the development the trees health and safety cannot be adequately protected.**

It is acknowledged that BS5837:2012 requires buildings and structures to be sited to allow adequate space for tree's natural development and at the same time reduce future pressure for removal of trees.

The submitted structural engineering report details the various foundation options (with particular attention paid to the close proximity of roots) and recommends a system of Shire stabilisers or similar. These are small scale piles developed for the domestic market and do not require heavy specialist plant that could damage shallow roots.

The advantage of using such a system is the small-scale nature of the piles which are driven in manually without the need for heavy plant traversing the site. Should tree roots appear within the piling area it should be easy to move the location of the pile to miss these.

Paragraph 5.3 of the report states:

"From the information available at this stage we are of the opinion that a suitable footprint of around 10 metres x 7 metres should be capable of fitting between the remaining trees. "

- 4. That the proposed development is contrary to the provisions of Policies ENV2 - Natural Heritage and ENV3 - Built and Cultural Heritage of the adopted Local Development Plan, the New Development Supplementary Guidance Conservation Areas, Trees, Woodland and Forestry and Natural Heritage and the provisions of Historic Scotland's guidance on 'Setting' and 'New Development in Historic Settings' as the trees within the application site make a valuable contribution to the setting of 'Auld Simon' and the Lochwinnoch Conservation Area generally and the proposed development is likely to lead to the loss of part of this woodland which would have an adverse impact on the setting of the Category B listed 'Auld Simon' and the setting of the Conservation Area generally and these trees should be safeguarded.**

The site contains 14 mixed deciduous trees in various states of decline. The mature trees and ground cover are heavily cloaked with ivy and roadside trees are substantially overhanging the carriageway. Chalara Ash dieback has also colonised the site.

Only 4 of the trees are classed in good condition, ie. a sound tree needing little if any attention at the time of the survey.

In a short period of time the amenity value of the trees and their contribution to the conservation area will decline as they die, limbs break off or they become stag headed. Only with proper tree management will the long-term amenity value of the site be achieved.

The application proposes complementary planting to ensure that tree cover is maintained in the long term in a manner which is appropriate and suitable to the setting and in a manner which will allow the site to be properly managed. The long-term prospects are for the setting to be enhanced rather than deteriorate further.

To retain the original aesthetics of the area and the tree line running from The Auld Simon grounds, through the proposed development site **NO** trees will be felled and a designated area of the site to the west (approximately 25% of the overall site) with several 'fair' trees will be maintained and similar native species planted to enhance and ensure the future of the tree cover.

The provision of stone boundary walls and refurbishment of the site boundary railings will similarly improve the setting of the area and its amenity value.

It should be recognised that, although the site is currently clear of development, the site was previously (and historically) developed for housing.

- 5. That the proposed development is inappropriate and contrary to the provisions of Renfrewshire's Planning and Development Tree Policy 2022 as there is no overriding justification for the construction of the proposed dwellinghouse in proximity to trees and the development is likely to adversely affect the natural development and health of the trees remaining.**

The development proposes a modest single storey dwellinghouse in the centre of the site (refer to submitted visual and accompanying plans). The site extends to approximately 0.15 acres. Excluding the woodland area leaves an area of 440 square metres and the proposed dwellinghouse has a footprint of just 90 square metres, equating to just 20% of the developable area.

The proposed dwellinghouse is set some distance from Johnshill and would be obscured from view to people travelling north along this road by both existing housing and the existing, retained tree cover. There is no impact whatsoever on the view to the church front gable as the gable faces directly south down towards the High Street and the view to the gable is generally uninterrupted.

As stated previously, there is an opportunity to undertake proper tree management on the remaining trees, introduce new appropriate species planting and ensure that the long-term benefits of the trees on the townscape can be properly maintained.

Policy ENV 3 states that new development should demonstrate that there is no negative impact on built heritage assets, and I would argue that the application supporting evidence addresses that requirement, specifically in respect of the Planning, Design and Access Statement, the Tree Condition Survey and the way we have approached the design and form of the dwellinghouse.

It is also worth remembering that Policy 7 '*Historic assets and places*' of NPF4 seeks to protect and enhance historic and environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Conclusion

The case officer's assessment of the application ignores the positive contribution that the new development would make to enhance the character of the area (remembering it was historically a housing site) and the setting of the listed building.

In our view the opportunity to undertake the essential tree management and to improve the boundaries of the appeal site have been overlooked and are clearly positive aspects in the argument.

Improvements brought about by this development will contribute to an overall enhancement of the area whilst introducing the opportunity for long term site management.

We maintain that the site is more than capable of absorbing a single modest dwellinghouse of the proportions proposed. The additional planting will ensure that tree cover is maintained for the long term but also in a way that is manageable and ensures proper site tree management. The development opportunity is unique, and we would argue that the proposal does not offend current national guidance, local development plan policies or supplementary guidance, nor is it in conflict with Historic Environment Scotland's guidance.

It is respectfully requested that the appeal is upheld and planning permission granted for the proposed development.

A.T.K. PARTNERSHIP
CIVIL & STRUCTURAL ENGINEERING
CONSULTANTS

REVISION A – NOVEMBER 2023

**STRUCTURAL APPRAISAL ON
FOUNDATION OPTIONS**

PROJECT : PROPOSED HOUSE at EAST END, LOCHWINNOCH

CLIENT : Mr D JOHNSTON

PROJECT REF NO : 16781

DATE : DECEMBER 2022

33 UNION STREET
GREENOCK
PA16 8DN

Tel: (01475) 787797
Email: mail@atk-partnership.co.uk

1.0 Introduction

1.1 ATK Partnership were invited to review the options available to form the foundations for the proposed house with particular attention being paid to the close proximity to the existing trees.

2.0 Scope of the report

2.1 The scope of the following report was to investigate the various foundations readily available and to advise on the best solution. A site inspection was carried out on the 8th December 2022.

2.2 The investigation comprised a visual non-disruptive inspection of the site and no trial pits or boreholes were carried out.

2.3 A topographical survey was made available along with a tree condition report prepared by Ayrshire Tree Surgeons.

2.4 Photographs are also included which help to identify the density of the present growth on site.

3.0 Observations

3.1 The site comprises a long almost rectangular shaped site with a broader triangular shaped section to the rear. It lies opposite the church known as Auld Simon and at the junction of Johnshill and East End.

3.2 The proposed house will be detached, probably a one and a half storey built in timber frame construction and located as shown on the attached plan.

3.3 The main trees which will be closely affected are shown on the site plan along with others lying outwith the building area.

3.4 The construction using timber frame will be fairly light around 35kN/m and may have a brick outer cladding but also may have a timber cladding as an alternative.

3.5 The ground floor construction is likely to be a suspended concrete floor with integral insulation to help form the U-values.

3.6 Since the tree survey report some of the badly affected (rotted) trees have been taken down in line with the recommendations of the tree report.

4.0 Foundation options

4.1 Traditional strips

4.2 On the basis that the soil conditions are favourable and ordinary strip foundations are possible these would be expected to be constructed at around 600mm down from the proposed ground.

4.3 However the foundations will be prone to damage by the remaining roots of the trees and in line with guidance by the NHBC consideration must be given to the use

of trench fill concrete to take the excavations below the level of anticipated damage. Along with the use of trench fill it would be sensible to use a root barrier system to help prevent damage to the foundations.

4.4 The excavations for the foundations may also do damage to the root infestation locally within the house footprint with any remaining trees also affected by this root loss.

4.5 Raft Slab

4.6 Due to the light loads involved a simple slab raft would also be a suitable option sitting on a cushion of compacted hardcore.

4.7 However due to the preferred detail of having a limited excavation the existing roots will still exist under the raft slab, probably through the hardcore, and may lead to structural damage to the slab in time.

4.8 Piling

4.9 Piling would be solution by excluding the loads being taken down on to the immediate sub-surface soils. Due to the nature of the piles involved the loads would be taken further down into the sub-soils and below the level of the expected root bowl. The perimeter walls and any internal loadbearing lines would be supported on concrete ground beams spanning between the piles.

4.10 The ground floor would be constructed with either a cast in-situ concrete slab supported on a permanent steel sheet formwork such as Holorib or Ribdeck. This would help to support the floor and span across the top of any root system below the footprint of the house. An alternative could be the use of beam and block flooring which is a sectional floor system but again spanning clear between the ground beams.

4.11 There are various piling systems available using driven steel tubes or continuous flight auger piles which all do the same job of transferring the loads below the sensitive areas.

5.0 Recommendations

5.1 On the basis of the above options and trying to limit the damage on site we are of the opinion that a system of piling using Shire stabilisers or similar would prove to be the best option. These are small scale piles developed for the domestic market and do not require heavy specialist plant that could damage shallow roots.

5.2 The advantage of using such a system is the small scale nature of the piles which are driven in manually without the need for heavy plant traversing the site. Should tree roots appear within the piling area it should be easy to move the location of the piles to miss these.

5.3 From the information available at this stage we are of the opinion that a suitable footprint of around 10 x 7m should be capable of fitting between the remaining trees. A final design can be agreed in due course.

5.4 Following recent discussions with Shire Structural Solutions, it has been suggested that fewer number, larger diameter mini-piles would be an effective solution to avoid the roots, thereby minimising damage to the mature trees. These piles would be positioned on site outwith locations which would compromise tree integrity. A reinforced concrete floor slab would span between ground beams, which would be designed to cantilever across the piles, facilitating changes to the pile setting-out on site.

“Assuming a larger diameter pile supporting a flat RC slab (say with anti-heave measures) is proposed, this would result in minimal disturbance. However, when we are this close to trees and piling under the tree canopies, there is a risk of obstructions from roots. This may make it necessary to change the pile locations on site to avoid the larger roots, which may incur additional costs.”

Darren Whitehouse, Shire-UK, 17.11.23

5.5 Exploring the use of a piled system, Shire Structural Solutions have provided the following.

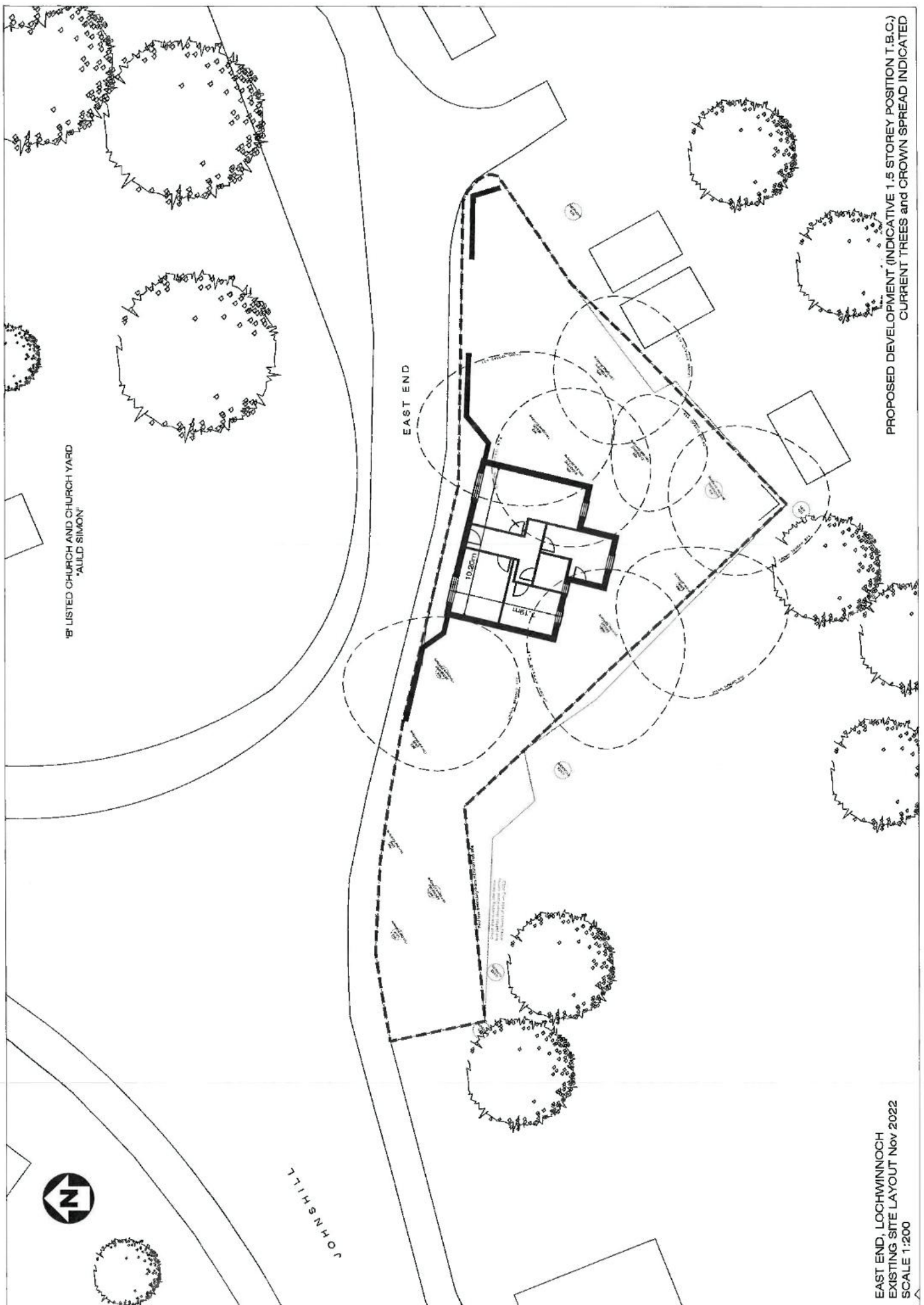
“Tracked rig specification attached, this is a mid-range sized rig, so could be a little bigger depending on the soils we are drilling into. Generally these rigs require around 2.4 to 2.9m head room to set up for the drilling.

These rigs can be manoeuvred through properties so I don't see there being a problem with access through the trees...”

Darren Whitehouse, Shire-UK, 23.11.23

As discussed, drilling rig specification attached, of which it should be noted that this is capable of working within confined spaces.

5.6 To conclude the recent design review carried out, we are of the opinion that using a piled solution would allow the foundations to be carefully set out in a manner to avoid damaging any of the large trees and associated roots across the site. The method of using mini-piles would result in a lightly loaded rig with a low clearance height that would not breach the tree canopy.



PROPOSED DEVELOPMENT (INDICATIVE 1.5 STOREY POSITION T.B.C.)
CURRENT TREES and CROWN SPREAD INDICATED

EAST END, LOCHWINNOCH
EXISTING SITE LAYOUT Nov 2022
SCALE 1:200



View along East End looking towards Johnshill (Main Street)



View of possible development area with some trees felled in the distance

Tree Condition Survey

**Land adjacent to the Old Simon Kirk, Johnshill
East end, Lochwinnoch**

14th June 2022



Prepared for
Mr & Mrs Johnston

Prepared by
C. A. Calvey, P.T.I., Tech.Cert (Arbor.A), Cert.Arb (RFS), BA Hons.
Principal Arboricultural Consultant
Ayrshire Tree Surgeons Ltd



View from tree 862 towards East End Road



Ash 867 for removal



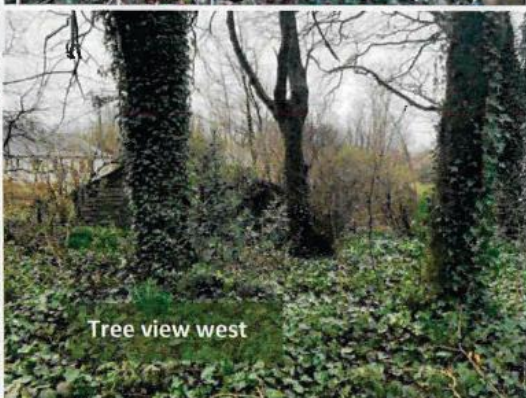
876 with basal decay for removal



Tree 870



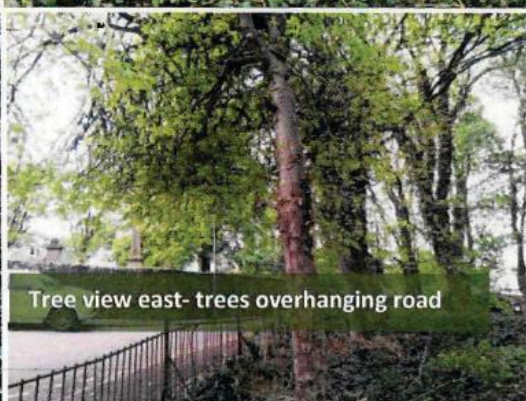
Tree view south from East end road



Tree view west



Tree view south west from East end road



Tree view east- trees overhanging road



Shire

Innovation in Foundations

Bringing fresh thinking to civil & structural engineering

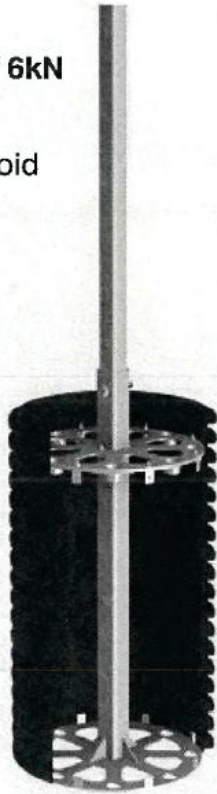
Shire are a team of civil and structural engineers, consultants and designers with the aim of providing a responsive, solution-based approach to Civil & Structural Engineering. Our strong reputation for being "Thinking Engineers" has created demand for our services across a wide variety of sectors.

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www.shire-uk.com
engineers@shire-uk.com
01527 579933

ShireGroundfillBase

**SUPPORTS SIGNS UP TO 1MX1M
INSTALLED IN 1 HOUR**

- » Tested with lateral forces of **6kN**
- » No concrete
- » Spoil is backfilled into the void
- » Reusable and recyclable
- » Designed to loading & ground conditions
- » Installed with hand-held equipment
- » Also available in 1.5m, 2m, 2.5m & 3m ground anchors
- » Height adjustable



ShirePile

**SUPPORTS LOADS UP TO 7 TONNES
INSTALLED IN 1 HOUR**

- » Fast installation time
- » A solution for all soil types
- » Unique patented design
- » Instant load capacity
- » Installed in confined spaces
- » Low ground disturbance
- » Up to 10m deep
- » Available with 1m, 1.5m & 2m helical bases

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www.shire-uk.com
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01527 579933



ShireRootBase *D-Range*

**SUPPORTS PLATFORMS
INSTALLED IN 30 MINUTES**

- » Fast installation time
- » No concrete
- » Reusable
- » installed below typical depth of services
- » Designed to loading & ground conditions
- » Installed with lightweight post driver
- » Available with 1.5m, 2m, 2.5m & 3m ground anchors
- » 700mm height



ShireRootBase *S-Range*

**SUPPORTS LOADS UP TO 8 TONNES
INSTALLED IN 15 MINUTES**

- » Tested with vertical forces of **over 8 tonnes**
- » Available in over 10 configurations
- » No concrete
- » Reusable
- » Designed to loading & ground conditions
- » Installed with lightweight post driver
- » Available with 1.5m, 2m, 2.5m & 3m ground anchors
- » Compact size



What our clients think...

The team could not have been more helpful

I am very pleased. Very efficient, sincere & hard working. They explained every step within the works - well done to you all

The work on site was excellent, it was kept so clean & tidy

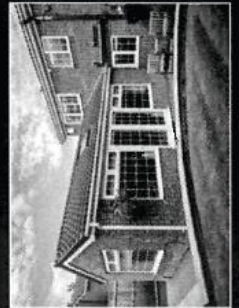
Applications



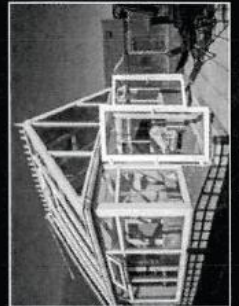
Garden rooms



SIPS panels



Single storey extensions



Conservatories / Orangeries

About Shire

The QuickBase Foundation System was designed by Structural Engineers at Shire and patented in 2008. Since it's launch, 12 million m2 have been installed across the UK. QuickBase is a multi-award-winning flooring, beam and pile system. A totally unique foundation system for conservatories and single-storey structures, revolutionising conventional construction methods.



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www.shire-uk.com

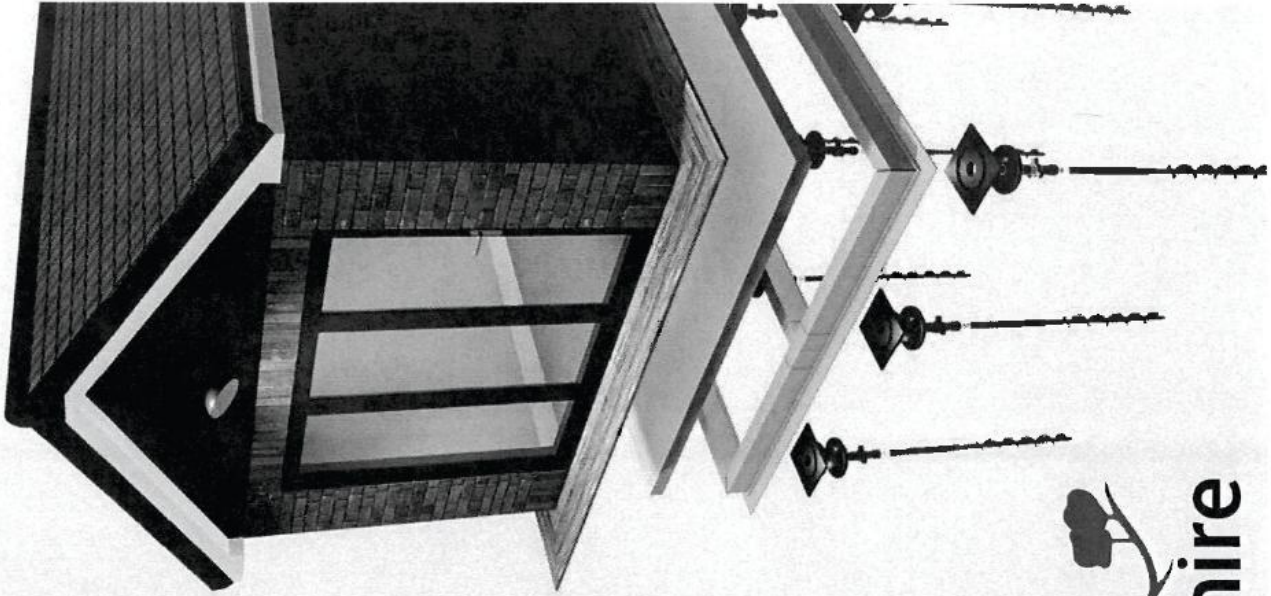
engineers@shire-uk.com

01527 579933



QuickBase Foundation Systems

Foundations to protect your investment



Why?

Protecting your investment - what steps can be put in place to prevent foundation problems occurring?

Below are 4 practical steps to consider:

- Don't accept a 'one size fits all' foundation
- Take reasonable precautions to mitigate against the effects of nearby trees and soft soils
- Choose the right kind of foundation for your building
- Consider access requirements & restrictions. Ask for advice if needed

The foundations are one of the most important parts of your building investment. Often more time is spent considering the type of floor tiles than the foundation type. Foundations are often specified as a standard design 'to be confirmed on site'. This can lead to inappropriate foundations being constructed. It is essential that adequate thought is given to the foundation type and depth before work starts on site.

At Shire we design foundation systems for a wide range of project types. We have developed patented systems like QuickBase giving deep piled foundations that can be taken down to depths below the zone of influence of any tree roots or down to 20m in soft soils to find 'good ground'. QuickBase has also been designed to be installed in areas where parking & access is restricted. Foundations are installed quickly, often leading to cost reductions in the overall schedule.

Where there are unknown ground conditions, our geotechnical team can investigate and give advice on the appropriate solution. For more information, including a detailed guide contact engineers@shire-uk.com

ShirePile >
Supports loads of up to 70kN

ShireQuickBase

About the system

- Designed by Structural Engineers
- Made in the UK
- Unique patented design
- Achieves U-values of 0.02 W/m²K
- Combined floor, beam & pile solution
- Installed on a Shire Pile as standard

The modular system is based on helical screw piles, which support lightweight, part-recycled plastic ground beams connected via a series of push-fit joints to form a frame. The ground beam is then filled with a specially formulated non-shrink grout to give a high strength composite beam. The frame carries the load of the building through the piles to suitable bearing strata, uniquely removing the need for mass concrete foundations. It is then fitted with a premanufactured damp proof floor slab onto which the inner wall of the conservatory or extension is built.

QuickBase is particularly cost effective when working in confined spaces, where soil conditions would usually require deep excavation, where limited parking restricts the ability to remove the spoil associated with deep excavation and where trees are near the built site.

The QuickBase system doesn't require wet trade finishing, so labour costs are cheaper and build time is faster. The foundations can be quickly installed rapidly with up to 15m² installed in a day.

Unlike traditional foundations, QuickBase is ideal for less than perfect ground. The piles are generally driven to 4m depth (deeper if required), guaranteeing suitable load-bearing strata, and avoiding troublesome tree roots.

QuickBase is fully compliant with Building Regulations and designed to meet Local Building Control standards. Our Engineers work in partnership with both Local Authority and Private Building Control to ensure all requirements are met. We also offer technical CPD's to any teams not familiar with the system.

Advantages of the system



Fast installation time
15m² installed in 1 day



No need for mass
concrete foundations



Reduces site excavation work

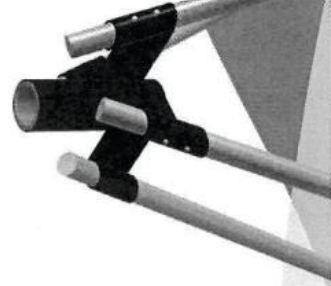


Minimises spoil to landfill

Other piling systems available

ShireClayPile
Anti-heave engineering

ShireRootBase
Installed in 15 minutes



Hydraulic Large Plant HP-T5000 Tracked Auger Rig



Plant No: HP-T5000
Supplier/Manufacturer: G P Services
Seafire Works
Henstridge Industrial Estate
Henstridge
Templecombe
Somerset, BA8 0TN
Tel: 01963 363866 (Dave in Sales)

S/M Ref No: ce. 903906
Description: Tracked Auger Rig
Can be used with different augers.

Maintained By:
Attachments: Big Hydraulic Power Pack
Augers

PPE: Standard Site PPE

COSHH: Hydraulic Fluid

Weight: 1350kg (rig only)

Ancillaries 1.5m "Travel" hoses
10m Hoses (x4) [LP018]
25m Hoses (x4) [LP013]

The T5000 consists of a 1.0 tonne robust drill rig mounted on extendible rubber tracks with the added feature of a hydraulic mast 'jack down' for added stability when piling. The T5000 is capable of working within a confined width of 720mm and can easily be maneuvered through a standard household doorway. When operating in unrestricted working areas the T5000 opens up to 1020mm in width. The minimum working height required is 2250mm with the capabilities of installing up to a 320mm diameter pile to a maximum depth of 12.0 meters. The T5000 has a torque capability of up to 0.3 tonnes. The T5000 also has the capability to tilt its mast angle from -5 to +90 degrees which gives the advantage of enabling the machine to carry out horizontal drilling. With the aid of a bolt-on air flush assembly the rig can also be easily transformed into a DTH System. The T5000 Piling Rig comes complete with a super silenced 30kW power pack which can be detached and used up to a distance of 50.0 meters away. This feature is particularly useful when working within restricted or limited access areas where operating space is an issue.

[view technical specification](#) [click here](#)

T5000



T15000



D500



T5000

Full Specification

HEIGHT WHEN DRILLING	2200mm
MINIMUM WIDTH	720mm
MAXIMUM WIDTH	1020mm
WEIGHT	1300kg
MAST LENGTH	2200mm
FEED STROKE	1350mm
RECOMMENDED DRILL TUBE LENGTH	1.0 metre
ROTARY HEAD	90rpm
MAXIMUM TORQUE	5000Nm
TEAR OUT FORCE ON MAIN RAM	2500kg
MAST ANGLE	-5 + 90 Degrees
TRACK WIDTH ADJUSTMENT	Hydraulic
HYDRAULICS	4 Hose System
HYDRAULIC HOSES	15.0 metres
POWER PACK (SUPER SILENCED & TOWABLE)	DEUTZ BF41011
POWER OUTPUT	30kw @ 2500rpm
WIDTH OF POWER PACK	1400mm
LENGTH OF POWER PACK	1800mm
HEIGHT OF POWER PACK	1600mm

[close window](#)

5000



My Ref:
Contact: Clare Murray
Telephone: 07483 370667
Email: dc@renfrewshire.gov.uk
Date: 8 September 2023



Marcelo Dominguez
CHG Architecture Ltd
54 Braehead
Lochwinnoch
PA12 4AS

Proposal: Erection of single storey dwellinghouse and associated works.
Location: Site On Eastern Boundary Of No 2 Johnshill, East End, Lochwinnoch, ,
Application Type: Planning Permission-Full
Application No: 23/0179/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. 23/0179/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

David And Louise Johnston

Flat 0/2

174 Clarkson Road

Cathcart

G44 3DN

With reference to your application registered on 7 April 2023 for Planning Consent for the following development:-

PROPOSAL

Erection of single storey dwellinghouse and associated works.

LOCATION

Site On Eastern Boundary Of No 2 Johnshill, East End, Lochwinnoch,

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 September 2023

Signature

Appointed Officer

on behalf of Renfrewshire Council

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposal does not fully accord with the provisions of the Development Plan and other material considerations were not considered to carry sufficient weight to justify the grant of planning permission.

Conditions/Reasons

1. That the proposed development is contrary to the provisions of Policy 7 'Historic Assets and Places', of NPF 4 as the proposed development is likely to lead to the loss of woodland, a natural feature which makes a positive contribution to the character of the historic area
2. That the proposed development is contrary to the provisions of Policy 9 'Brownfield land, vacant and derelict land, and empty buildings' of NPF 4 as the application site is considered to have high ecological value as it has been naturalised with woodland and the proposal is likely to lead to the loss of trees, which make a positive contribution to the character of the area.
3. That the proposed development is inappropriate and contrary to the provisions of Policy P1 of the adopted Local Development Plan and the New Development Supplementary Guidance Places Development Criteria given the proximity of the trees to the development the trees health and safety cannot be adequately protected.
4. That the proposed development is contrary to the provisions of Policies ENV2 - Natural Heritage and ENV3 - Built and Cultural Heritage of the adopted Local Development Plan, the New Development Supplementary Guidance Conservation Areas, Trees, Woodland and Forestry and Natural Heritage and the provisions of Historic Scotland's guidance on 'Setting' and 'New Development in Historic Settings as the trees within the application site make a valuable contribution to the setting of 'Auld Simon' and the Lochwinnoch Conservation Area generally and the proposed development is likely to lead to the loss of part of this woodland which would have an adverse impact on the setting of the Category B listed 'Auld Simon' and the setting of the Conservation Area generally and these trees should be safeguarded.
5. That the proposed development is inappropriate and contrary to the provisions of Renfrewshire's Planning and Development Tree Policy 2022 as there is no overriding justification for the construction of the proposed dwellinghouse in proximity to trees and the development is likely to adversely affect the natural development and health of the trees remaining.

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: 23/0179/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd: 7 April 2023
Applicant	Agent	
David and Louise Johnston Flat 0/2 174 Clarkson Road Cathcart G44 3DN	Marcelo Dominguez CHG Architecture Ltd 54 Braehead Lochwinnoch PA12 4AS	
Nature of Proposals Erection of single storey dwellinghouse and associated works.		
Site Site On Eastern Boundary Of No 2 Johnshill, East End, Lochwinnoch		
Description <p>This application seeks planning permission for the erection of a detached one storey dwellinghouse on a wooded site located at the junction of East End and Johnshill within Lochwinnoch Conservation Area. The application site generally slopes downwards from north to south and west to east. There are approximately sixteen mature mixed deciduous trees on the site of varying heights, mostly in good physical condition. There are the remains of a historic stone wall at the site.</p> <p>The proposed dwellinghouse would face onto and would be positioned 1 metre from the boundary with East End and would be positioned centrally within the site. Access would be taken from the north eastern corner of the site, where off street parking for two cars, a turning area and storage for refuse and recycling facilities would be provided. Pedestrian access would be linked to existing footways. The existing railing would be retained on the frontage of the site and a new 1.8-metre-high sandstone wall would be formed set back on either side of the front elevation bounding East End. A further section of this boundary wall would be formed around the north eastern corner of the site. A timber close boarded fence is proposed to the remainder of the boundary.</p> <p>The dwellinghouse would be single storey, have a footprint of approximately 90 square metres, with a traditional style symmetrical frontage and double pitched roof. It would be finished in smooth render with corner quoin blocks and exposed sandstone lintels, jambs, and sills on the front elevation. The front elevation however, would be finished throughout in stone. The roof would be finished in natural slate.</p> <p>The site is bounded to the north by the roadway known as East End and the category B listed St Winnocs Church also known as 'Auld Simon,' to the south and east by an area of ground accommodating several run down wooden lock ups and to the west by a small area of woodland and a dwelling beyond.</p> <p>Tree removal recommended by an arboriculture report accompanying this application has been consented through treeworks application (22/0426/TC) and has been undertaken. The applicant seeks consent to position the proposed dwelling within the centre of the area where the treeworks took place and to retain all the remaining trees within the application site.</p>		

History

Application No: 22/0426/TC

Description: Removal of four trees comprising two sycamore and two ash and pruning of six trees to provide clearance from adjacent road

Status; No objections

Application No: 15/0089/PP

Description: Erection of one and a half storey dwellinghouse

Status; Refused

Application No: 02/0264/PP

Description: Erection of one and a half storey dwellinghouse.

Status; Refused

Policy and Material Considerations

Legislation requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the proposal must be assessed against the following:

Development Plan

National Planning Framework 4

Policy 7 - Historic assets and places

Policy 9 - Brownfield land, vacant and derelict land, and empty buildings.

Adopted Renfrewshire Local Development Plan August 2021

Policy P1 - Renfrewshire's Places

Policy ENV2 – Natural Heritage

Policy ENV 3 - Built and Cultural Heritage

New Development Supplementary Guidance 2019

Delivering the Places Strategy - Places Development Criteria

Delivering the Environment Strategy - Conservation areas; Trees, Woodland, and Forestry;

Natural Heritage

Material considerations

Historic Environment Scotland's Policy Statement 2016 and associated Managing Change in the Historic Environment Guidance Notes on Conservation Areas, Settings, New Development in Historic Settings.

Renfrewshire Planning Development Tree Policy 2022

Publicity

The Council has undertaken neighbour notification in accordance with the requirements of legislation.

A site notice was posted on site on 26 April 2023 for the following reasons:

Development within a Conservation Area

An Advert was placed in the press on 26 April 2023 for the following reasons;

Development within a Conservation Area

Objections/Representation

There have been 15 representations, 2 of which are in support of the application and 13 which offer objection. The issues raised can be summarised as follows:

In support

1. The plans are very much in keeping with the ethos and character of the historic East End of the village, very close to the Auld Simon Church Tower.
2. No objection, provided no trees would be harmed.

Objection

1. There has been no material change in circumstances in relation to the application site since the previous refusals in 2002 and 2015, and no reason for any previous decision to be overturned.
2. The woodland area which forms the application site is a valuable asset to the local flora and fauna. Any housing development on the site would negatively affect the wildlife in this secluded and unspoilt corner.
3. The application site is adjacent to 'Auld Simon', which is an important historical relic and a local focal point that adds charm and history to the village. Removing this woodland and the development proposed would have a negative impact on the visual amenity of this area and alter the ambiance and landscape around this important site.
4. The removal of the significant trees, known as Lochwinnoch Wood, which add to the character of Auld Simon, will undermine the appearance of Auld Simon, and detract from the beauty of this area which is part of the Semple Trail.
5. The needless removal of this local wild space, being replaced by a new housing development, will detract from the overall setting and aesthetic beauty of 'Auld Simon' church ruin and graveyard.
6. The loss of trees would affect the wildlife in the area. Birds and bats are evident in this location. This is part of a wider historical area of trees and important to the network of woodlands in the area for local wildlife. Development of the site would reduce the natural green space within the village.
7. The root system of the existing trees retains water in the surrounding soil for drainage purposes and surrounding properties may be affected by increased runoff with the loss of trees.
8. Development of the site would impact/disturb existing wildlife including crows who roost in the trees every night.
9. Bats which roost in this area use the trees in this wooded site for hunting.
10. The tree survey submitted in support of the application was purchased by the applicant. The independence of this survey is questionable. It is stated that the trees are dead, this is not the

case as the trees are in full bloom.

11. It is not certain that sewage/drainage from the site could be accommodated within the existing network.

12. The proposal would result in unacceptable overlooking, loss of privacy and obstruction of an existing view of the ancient church yard.

13. The proposal would result in overshadowing of surrounding properties.

14. East End is narrow and the development site very tight. This is the main access road for the dwellings on East End including services and bin lorries. Any traffic exiting East End would approach the application site from an almost blind bend. Local traffic manoeuvres and safety would be compromised.

Consultations

Chief Executive's Service (Roads Development) - No objection subject to conditions ensuring construction of appropriate sightlines at the access to the site and provision of an appropriate footway along the site frontage on East End.

Communities and Housing (Environmental Protection Team) – no comments to make on the proposals

WoSAS – No objection subject to a condition requiring archaeological monitoring and the implementation of a watching brief.

Children's Services - Awaiting a consultation response from Children Services in respect of the impact of the proposed development on the education estate. The impact of the development on school places is therefore unclear at this time.

Summary of Main Issues of:

Environmental Statement – n/a

Appropriate Assessment – n/a

Design Statement – n/a

Access Statement – n/a

Planning Statement - Supporting statement provides the history of the site and a critique of the influences which contributed to the design elements of the proposal.

Tree Condition Survey - The report is based on visual inspections and states that the tree stock is unmanaged and consequently some trees are in poor condition and recommend removal of 2 Ash and 2 Sycamore. A number of trees are also recommended for crown reduction as they are overhanging the carriageway. It is acknowledged that trees are mature and over time have been colonised, principally by sycamore trees. Chalara Ash dieback has also colonised the site. The tree removal and crown reduction recommended by the report has been consented through a treeworks application and has been undertaken.

Planning Obligation Summary – n/a

Scottish Ministers Direction – n/a

Assessment

National Planning Framework 4 (NPF4) provides the long-term national spatial strategy for planning in Scotland. It sets out the Scottish Government's current view on delivering sustainable, liveable, and productive places through the application of spatial principles. Policy 7 'Historic Assets and Places' and Policy 9 'Brownfield, vacant and derelict land and empty buildings' are relevant to the assessment of this application.

Policy 7 'Historic Assets and Places' seeks to protect and enhance historic and environment assets and places, and to enable positive change as a catalyst for the regeneration of places. It considers that development proposals within conservation areas should ensure that existing natural and built features which contribute to the character of the conservation area and its setting be preserved or enhanced and that these should be preserved in situ wherever possible. This includes the retention of structures, boundary walls, railings, trees, and hedges.

Policy 9 'Brownfield, vacant and derelict land and empty buildings' seeks to encourage, promote, and facilitate the reuse of brownfield, vacant and derelict land, and empty buildings. However, in determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.

Whilst it is recognised that there are the remains of a historic wall at the site, given how well the site has been naturalised over the years and the positive contribution the quality of this woodland makes to the setting of the 'Auld Simon' church, the conservation area, and East End generally the development of the site would not be supported as it is likely to have an adverse impact through the loss of trees. It therefore does not comply with the relevant provisions of NPF4.

The application site is identified in the LDP proposals map under Policy P1 'Renfrewshire's Places'. Policy P1 presumes in favour of a continuance of the built form provided that such developments are compatible with and complementary to existing uses and cause no significant harm in line with the criteria of the New Development Supplementary Guidance (SG). The New Development Supplementary Guidance, Places Development Criteria, sets out a number of criteria which new residential development is required to meet. It considers that proposals require to ensure that the layout, built form, design and materials of all new developments will be of high quality; density will require to be in keeping with the density of surrounding areas; surrounding land uses should not have an adverse effect on the proposed residential development; and existing landscape and ecological features should be retained where they make a positive contribution to the character of the area.

Policy ENV2 'Natural Heritage' is also relevant to the assessment of the application and seeks to ensure that development proposals will consider the potential impacts on natural heritage and should protect, restore degraded habitats, and minimise any adverse impacts on habitats, species, network connectivity or landscape character, in line with the SG. The New Development Supplementary Guidance considers that natural heritage makes an important contribution to the local character, identity and quality of an area and these assets should be protected with opportunities for enhancement. All developments require to follow the principles of the mitigation hierarchy of Avoid, Reduce and Compensate. It further states that trees, woodlands, and forestry should be maintained and where possible enhanced throughout Renfrewshire.

Given the location of the site within Lochwinnoch Conservation Area, Policy ENV 3 also applies. Policy ENV 3 'Built and Cultural Heritage' and the New Development Supplementary Guidance seeks to preserve and enhance the townscape qualities of conservation areas and requires development proposals to demonstrate that they will enhance the visual amenity, individual settings, buildings and open space and historical architectural character of the conservation area. These policies are expanded upon by Historic Scotland's guidance notes on 'Settings' and 'New Development in Historic Settings.' It states that planning authorities must take into account the setting of historic assets when determining planning applications and considers that setting includes the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated. It considers that setting often extends beyond the immediate property boundary of a historic structure into the broader landscape and incorporates a range of factors including visual envelope, incorporating views to, from and across the asset or place. In this regard it is recognised that relatively small changes in the wider landscape may affect its setting and significantly alter its character.

Further to these policies Renfrewshire Planning and Development Tree Policy 2022 must be considered. It requires development to meet BS5837:2012 standards and buildings and structures require to be sited to allow adequate space for a tree's natural development and at the same time reduce future pressure for removal of trees. Buildings and associated infrastructure, including garden ground, should generally be located out with the zone of influence of existing and proposed trees. The zone of influence is generally considered to be the distance from the bottom of a tree that is equal to the mature height of an existing or proposed tree. The default position for structures should be outwith the root protection area of trees to be retained. An incursion into the root protection area will only be considered where there is an acceptable overriding justification for construction within the root protection area and where adequate technical information is submitted to support the technical solution proposed and that the technical solution will prevent damage to the tree. For an overriding justification to be accepted the proposal must be considered to deliver social, economic or environmental benefits that benefit the wider community.

Assessing the proposal against these requirements the following conclusions can be made.

The existing mature woodland which covers the application site is a natural ecological feature which makes a positive contribution to the area, both visually and environmentally contributing to the natural environment, local biodiversity, and habitats. Although the site is not subject of an environmental designation, it is of importance locally and contributes greatly to the setting of the 'Auld Simon' church and the setting of the conservation area of Lochwinnoch generally.

The site is occupied by a variety of mature trees which contribute to the wooded character of the rising ground to the east end of High Street and the setting of 'Auld Simon.' It is acknowledged that four mature trees have recently been removed from the site due to condition and disease, however this does not significantly change the visual or ecological contribution that this site makes to the area. It is considered that the site in its current form with the recent tree removal forms an important part of the character of the conservation area and that of the setting of Auld Simon and that it would be difficult to develop the site in a way which would not have an adverse impact on the amenity, ecology or long term health of the remaining woodland such that it would make an appropriate housing site.

In this regard, the site is small extending to approximately 0.06 hectares, is of awkward shape and remains wooded. The dwelling proposed would be located centrally within the site in an area where four diseased trees have been removed but where other mature trees remain.

Approximately eight mature Sycamore, Lime, and Common Beech trees in fair to good condition of heights between 18 to 21 metres, and crown spreads mostly over 4 metres remain in close proximity to the development and as such are likely to be seriously compromised. A structural report has been provided advising that the foundations for the development can be formed in a manner that protects tree root systems. However, given the proximity of these trees to the proposed dwelling, the development of the site is extremely challenging and the long term health of the trees likely to be adversely affected. Plans provided also do not show the ground level differences through the site. In terms of the Council's Tree Policy no overriding justification has been provided for this development to be constructed in such proximity and inadequate space has been provided to allow for the natural development of the existing trees without impinging on the proposed dwelling. It is also considered that the size of the trees and their closeness to the proposed dwelling could potentially adversely affect light for any occupants and apply pressure for the further removal of trees.

The dwellinghouse proposed would extend to approximately 90 square metres and an access and off-street parking area for two cars with turning area would be provided in the southeast corner of the site. Roads Development have offered no objection to the proposal provided that an adequate access to the site is created. Whilst it is noted that the site layout would therefore meet Roads requirements it is considered that this layout would impact further on amenity space as the remaining ground available as garden space would be largely wooded.

In terms of design and facing materials the dwellinghouse is of a vernacular style, albeit deeper than traditional dwellings it is referencing. However, it has good quality finishes including stone, wooden windows, and a slated roof which is appropriate for the area.

The matters raised by objectors have, in the main, been dealt with above. In relation to other matters raised I would comment as follows. The tree survey submitted in support of the application has been produced and certified by a qualified tree surgeon and is accepted as a fair assessment of the trees on site. Roads Development have offered no objection to the proposal for reasons of traffic safety. Unacceptable overlooking of adjacent properties to the rear should not occur given the separation distance involved nor should overshadowing.

On balance therefore, taking account of the visual and ecological merits of the site, its sensitive and prominent location within the conservation area and the existing contribution the site makes to the setting of both 'Auld Simon' and Lochwinnoch Conservation Area, it is considered that this proposal would be likely to have a significant adverse impact on the woodland within the site, and therefore the setting and character of 'Auld Simon', East End, and Lochwinnoch Conservation Area.

It is therefore considered that the proposal is unacceptable having regard to NPF4, the adopted Local Development Plan policies, New Development Supplementary Guidance, Historic Scotland's guidance on 'Setting' and 'New Development in Historic Settings and Renfrewshire Planning Development Tree Policy 2022.

Index of Photographs

A site visit was undertaken for this application on 6th July 2023 and photographs were taken.

RECOMMENDATION


Refuse

Reason for Decision

1. The proposal does not fully accord with the provisions of the Development Plan and other material considerations were not considered to carry sufficient weight to justify the grant of planning permission.

Conditions

1. That the proposed development is contrary to the provisions of Policy 7 'Historic Assets and Places', of NPF 4 as the proposed development is likely to lead to the loss of woodland, a natural feature which makes a positive contribution to the character of the historic area
2. That the proposed development is contrary to the provisions of Policy 9 'Brownfield land, vacant and derelict land, and empty buildings' of NPF 4 as the application site is considered to have high ecological value as it has been naturalised with woodland and the proposal is likely to lead to the loss of trees, which make a positive contribution to the character of the area.
3. That the proposed development is inappropriate and contrary to the provisions of Policy P1 of the adopted Local Development Plan and the New Development Supplementary Guidance Places Development Criteria given the proximity of the trees to the development the trees health and safety cannot be adequately protected.
4. That the proposed development is contrary to the provisions of Policies ENV2 – Natural Heritage and ENV3 – Built and Cultural Heritage of the adopted Local Development Plan, the New Development Supplementary Guidance Conservation Areas, Trees, Woodland and Forestry and Natural Heritage and the provisions of Historic Scotland's guidance on 'Setting' and 'New Development in Historic Settings as the trees within the application site make a valuable contribution to the setting of 'Auld Simon' and the Lochwinnoch Conservation Area generally and the proposed development is likely to lead to the loss of part of this woodland which would have an adverse impact on the setting of the Category B listed 'Auld Simon' and the setting of the Conservation Area generally and these trees should be safeguarded.
5. That the proposed development is inappropriate and contrary to the provisions of Renfrewshire's Planning and Development Tree Policy 2022 as there is no overriding justification for the construction of the proposed dwellinghouse in proximity to trees and the development is likely to adversely affect the natural development and health of the trees remaining.


Alasdair Morrison
Head of Economy and Development

PROPOSED MATERIALS:
 roof - slate
 ridge tiles - metal
 roof structure - timber
 walls - render
 - sandstone
 windows - timber
 doors - timber

RENFREWSHIRE COUNCIL

Town and Country Planning (Scotland)

Act 1997

Application No **23/0179/PP**

REFUSED
on **08.09.2023**

Signed by

On behalf of Renfrewshire Council



NORTH ELEVATION 1:100 (STREETSCAPE)

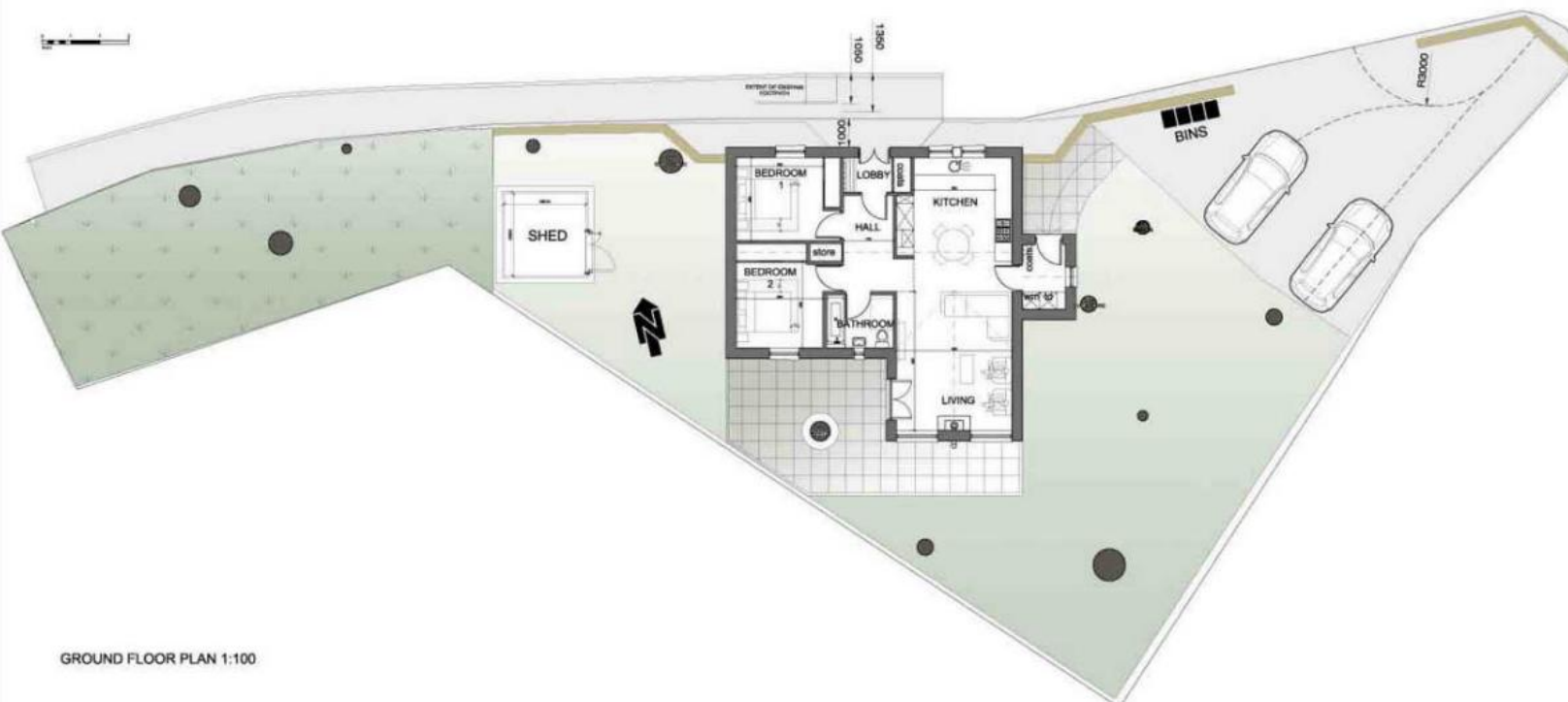


WEST ELEVATION 1:100

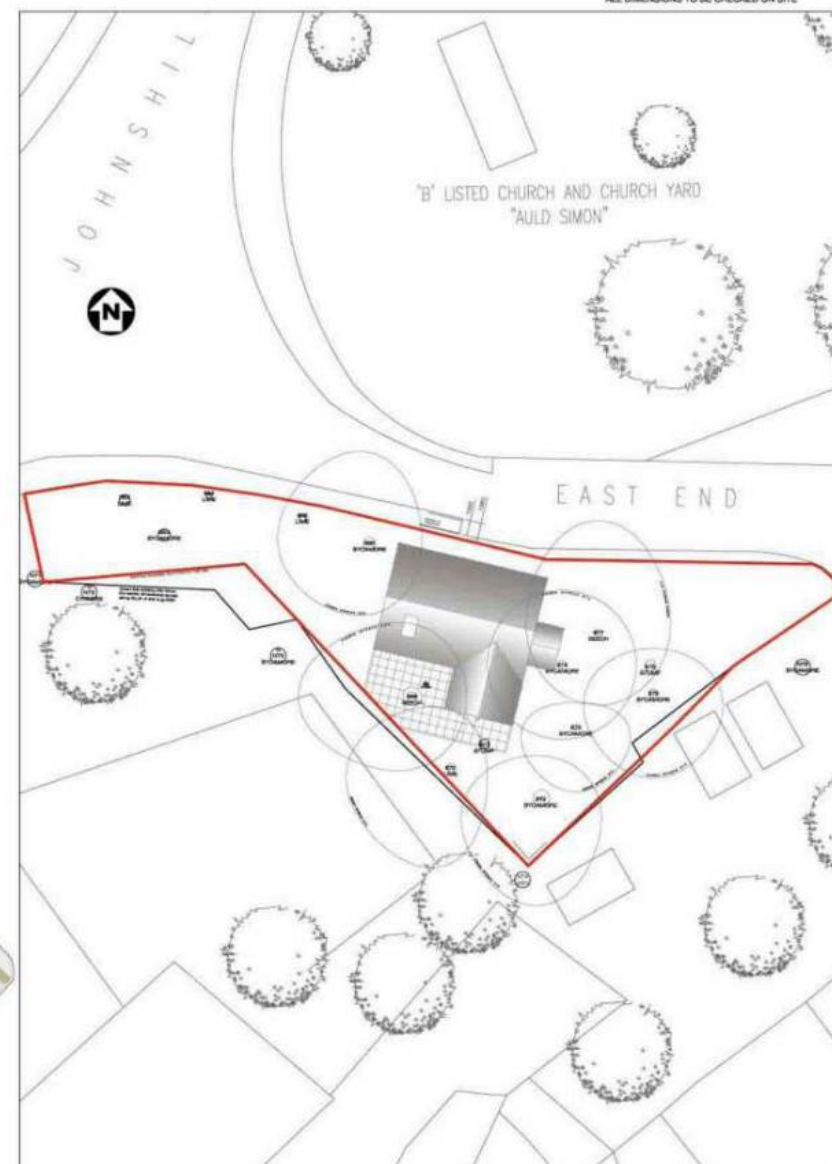
NORTH ELEVATION (WITHOUT FENCE) 1:100

EAST ELEVATION 1:100

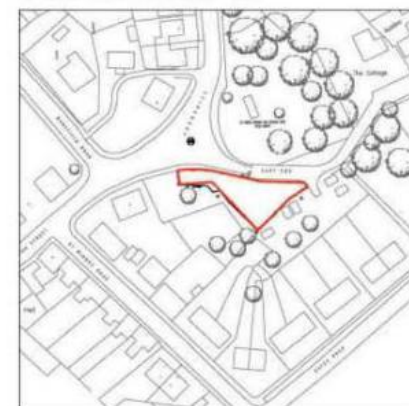
SOUTH ELEVATION 1:100



GROUND FLOOR PLAN 1:100



BLOCK PLAN AS PROPOSED 1:200



LOCATION PLAN 1:1250

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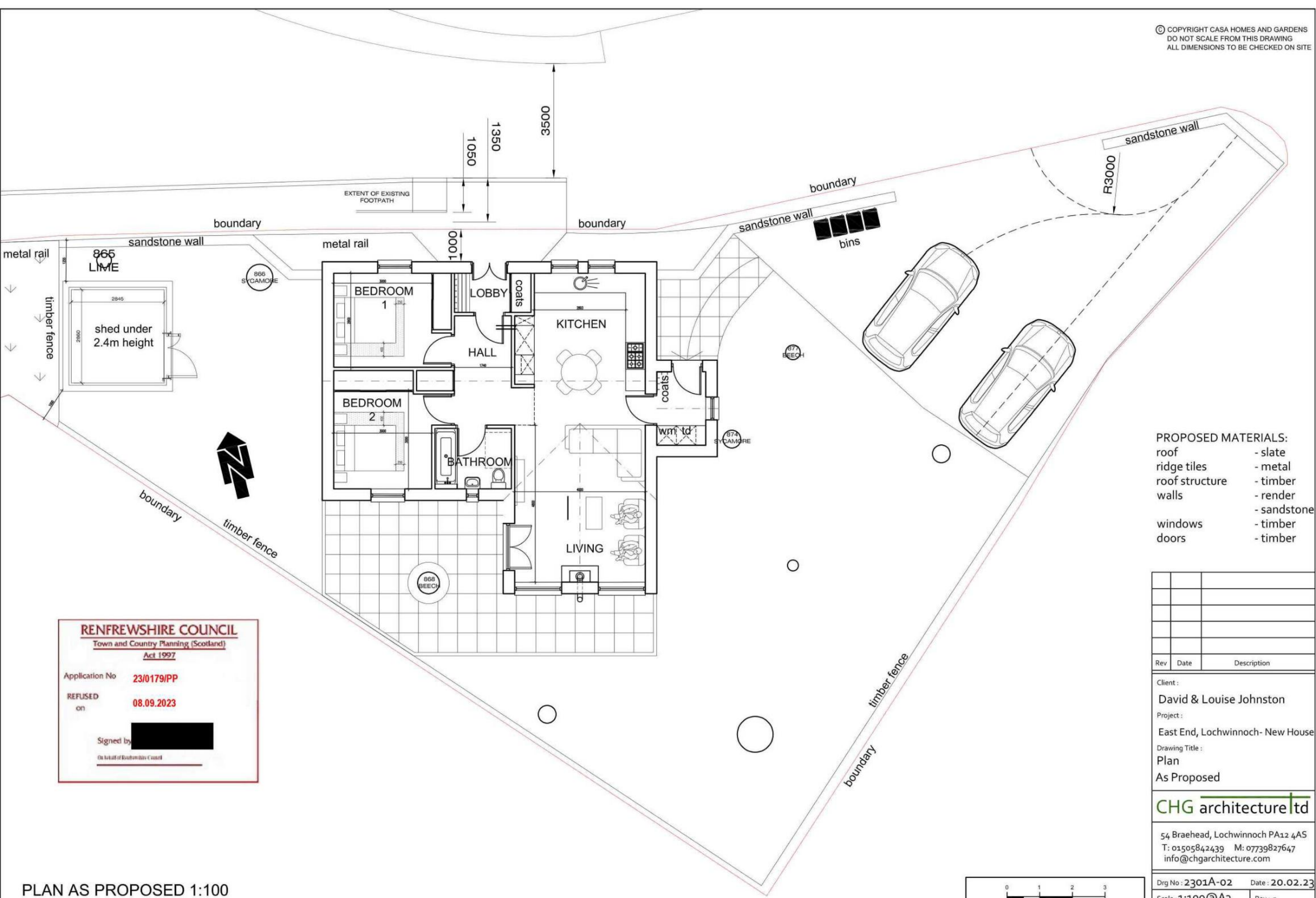
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Client:
David & Louise Johnston
 Project:
East End, Lochwinnoch- New House
 Drawing Title:
General Arrangement Plan

CHG architecture ltd

54 Braehead, Lochwinnoch PA12 4AS
 T: 01505842439 M: 07739827647
 info@chgarchitecture.com

Drp No: 2301A-01 Date: 20.02.23
 Scale: As noted@A1 Rev: -
 Status: Planning



RENFREWSHIRE COUNCIL
Town and Country Planning (Scotland)
Act 1997

Application No **23/0179/PP**

REFUSED on **08.09.2023**

Signed by [Redacted Signature]

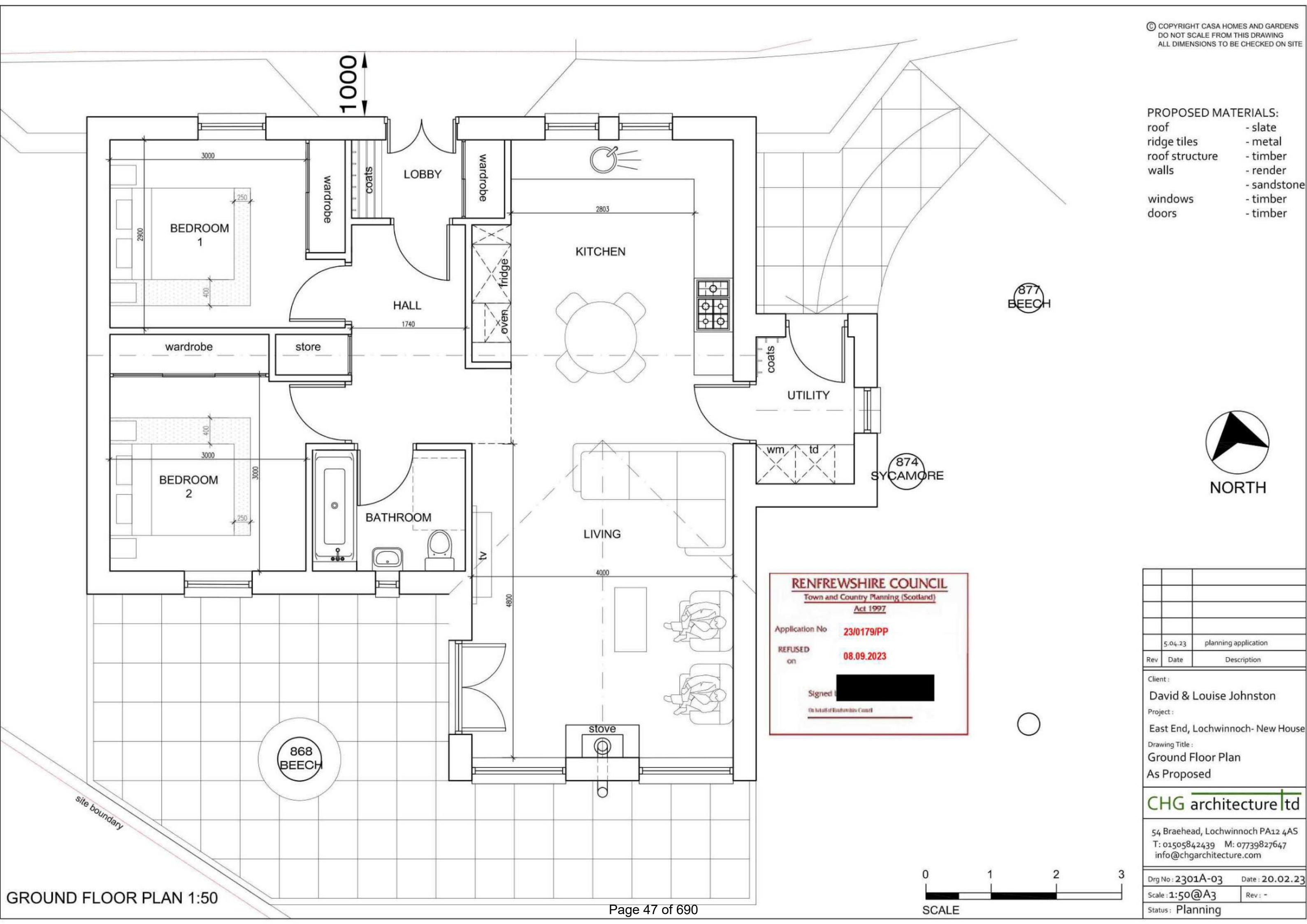
On behalf of Renfrewshire Council

- PROPOSED MATERIALS:
- roof - slate
 - ridge tiles - metal
 - roof structure - timber
 - walls - render
 - sandstone
 - windows - timber
 - doors - timber

Rev	Date	Description
Client:		
David & Louise Johnston		
Project:		
East End, Lochwinnoch- New House		
Drawing Title:		
Plan		
As Proposed		
CHG architecture ltd		
54 Braehead, Lochwinnoch PA12 4AS		
T: 01505842439 M: 07739827647		
info@chgarchitecture.com		
Drg No : 2301A-02		Date : 20.02.23
Scale : 1:100@A3		Rev : -
Status : Planning		

PLAN AS PROPOSED 1:100

- PROPOSED MATERIALS:
- roof - slate
 - ridge tiles - metal
 - roof structure - timber
 - walls - render
 - sandstone
 - windows - timber
 - doors - timber



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Town and Country Planning (Scotland)
Act 1997

Application No **23/0179/PP**

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Signed [Redacted]
On behalf of Renfrewshire Council

	5.04.23	planning application
Rev	Date	Description

Client:
David & Louise Johnston

Project:
East End, Lochwinnoch- New House

Drawing Title:
**Ground Floor Plan
As Proposed**

CHG architecture ltd

54 Braehead, Lochwinnoch PA12 4AS
T: 01505842439 M: 07739827647
info@chgarchitecture.com

Drg No: 2301A-03	Date: 20.02.23
Scale: 1:50@A3	Rev: -
Status: Planning	



Client :
David & Louise Johnston
Project :
East End, Lochwinnoch- New House
Drawing Title :
North Elevation
As Proposed

CHG architecture | td

54 Braehead, Lochwinnoch PA12 4AS
T: 01505842439 M: 07739827647
info@chgarchitecture.com

Drg No: 2301A-04 Date: 20.02.23

Scale: 1:50@A3	Rev: -
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Status:	Planning
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- PROPOSED MATERIALS:
- roof - slate
 - ridge tiles - metal
 - roof structure - timber
 - walls - render
 - sandstone
 - windows - timber
 - doors - timber



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Application No **23/0179/PP**

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on **08.09.2023**

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On behalf of Renfrewshire Council

	5.04.23	planning application
Rev	Date	Description

Client:
David & Louise Johnston

Project:
East End, Lochwinnoch- New House

Drawing Title:
South Elevation
As Proposed

CHG architecture ltd

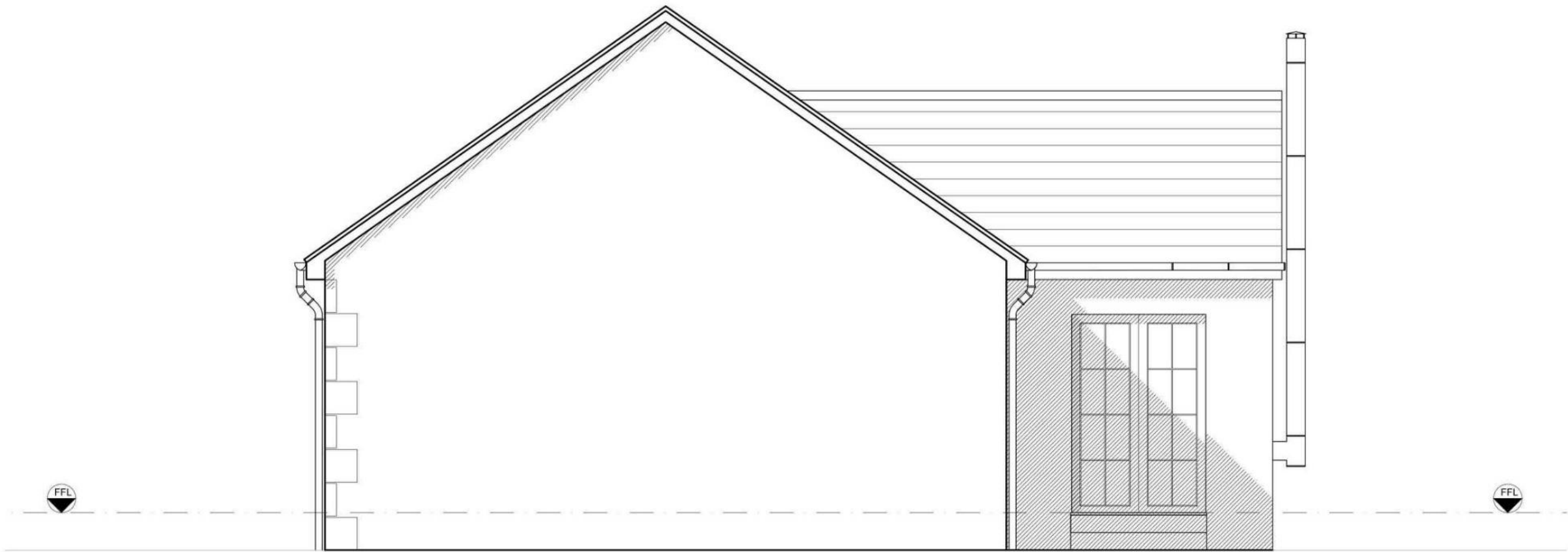
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T: 01505842439 M: 07739827647
info@chgarchitecture.com

Drg No : 2301A-05	Date : 20.02.23
Scale : 1:50@A3	Rev: -
Status : Planning	

SOUTH ELEVATION 1:50



- PROPOSED MATERIALS:
- roof - slate
 - ridge tiles - metal
 - roof structure - timber
 - walls - render
 - sandstone
 - windows - timber
 - doors - timber



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Application No **23/0179/PP**

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On behalf of Renfrewshire Council

	5.04.23	planning application
Rev	Date	Description

Client:
David & Louise Johnston

Project:
East End, Lochwinnoch- New House

Drawing Title:
**West Elevation
As Proposed**

CHG architecture ltd

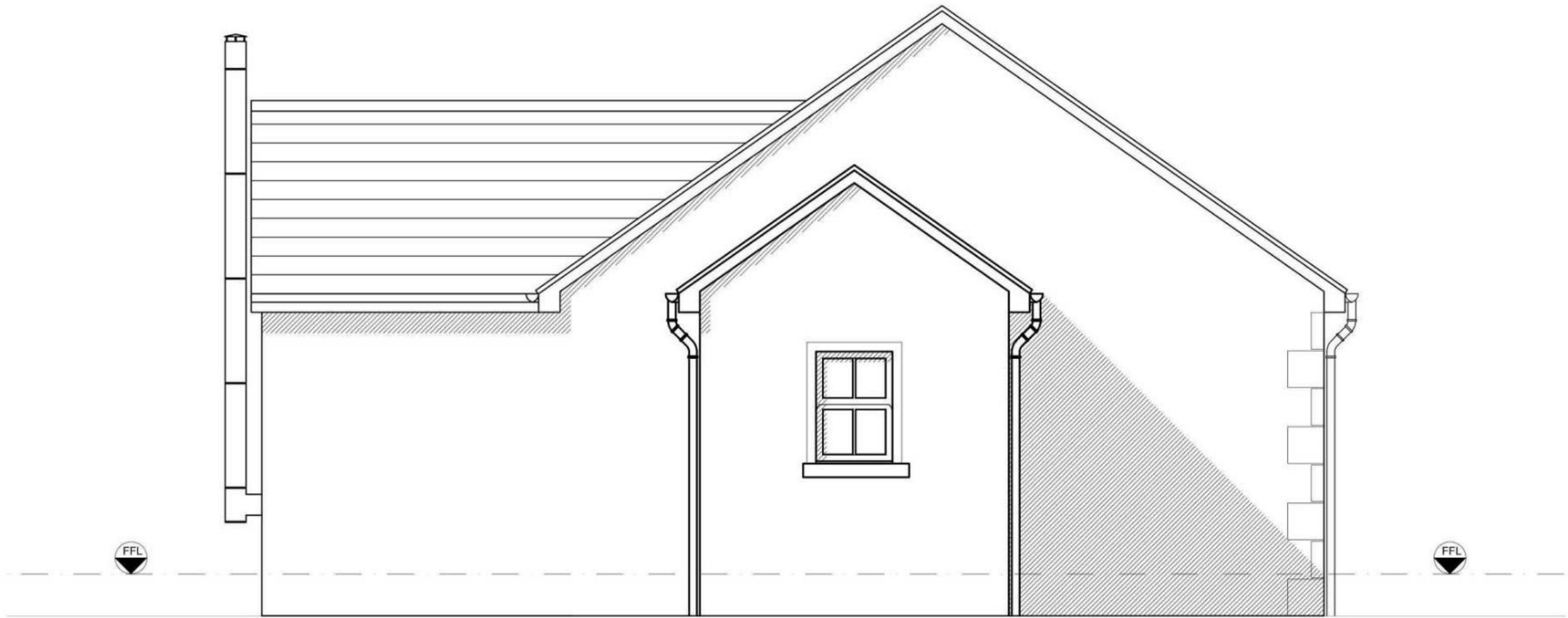
54 Braehead, Lochwinnoch PA12 4AS
T: 01505842439 M: 07739827647
info@chgarchitecture.com

Drg No : 2301A-06	Date : 20.02.23
Scale : 1:50@A3	Rev: -
Status: Planning	

WEST ELEVATION 1:50



- PROPOSED MATERIALS:
- roof - slate
 - ridge tiles - metal
 - roof structure - timber
 - walls - render
 - sandstone
 - windows - timber
 - doors - timber



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Town and Country Planning (Scotland)
Act 1997

Application No **23/0179/PP**

REFUSED
on **08.09.2023**

Signed by 

On behalf of Renfrewshire Council

	5.04.23	planning application
Rev	Date	Description

Client:
David & Louise Johnston

Project:
East End, Lochwinnoch- New House

Drawing Title:
**East Elevation
As Proposed**

CHG architecture ltd

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info@chgarchitecture.com

Drg No : 2301A-07	Date : 20.02.23
Scale : 1:50@A3	Rev : -
Status : Planning	

EAST ELEVATION 1:50



- PROPOSED MATERIALS:
- | | |
|----------------|-------------|
| roof | - slate |
| ridge tiles | - metal |
| roof structure | - timber |
| walls | - render |
| | - sandstone |
| windows | - timber |
| doors | - timber |



	5.04.23	planning application
Rev	Date	Description

Client :
David & Louise Johnston
Project :
East End, Lochwinnoch- New House
Drawing Title :
3D Visual
As Proposed

CHG architecture ltd
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info@chgarchitecture.com

Drg No : 2301A-08	Date : 20.02.23
Scale : 1:50@A3	Rev : -
Status : Planning	

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Act 1997

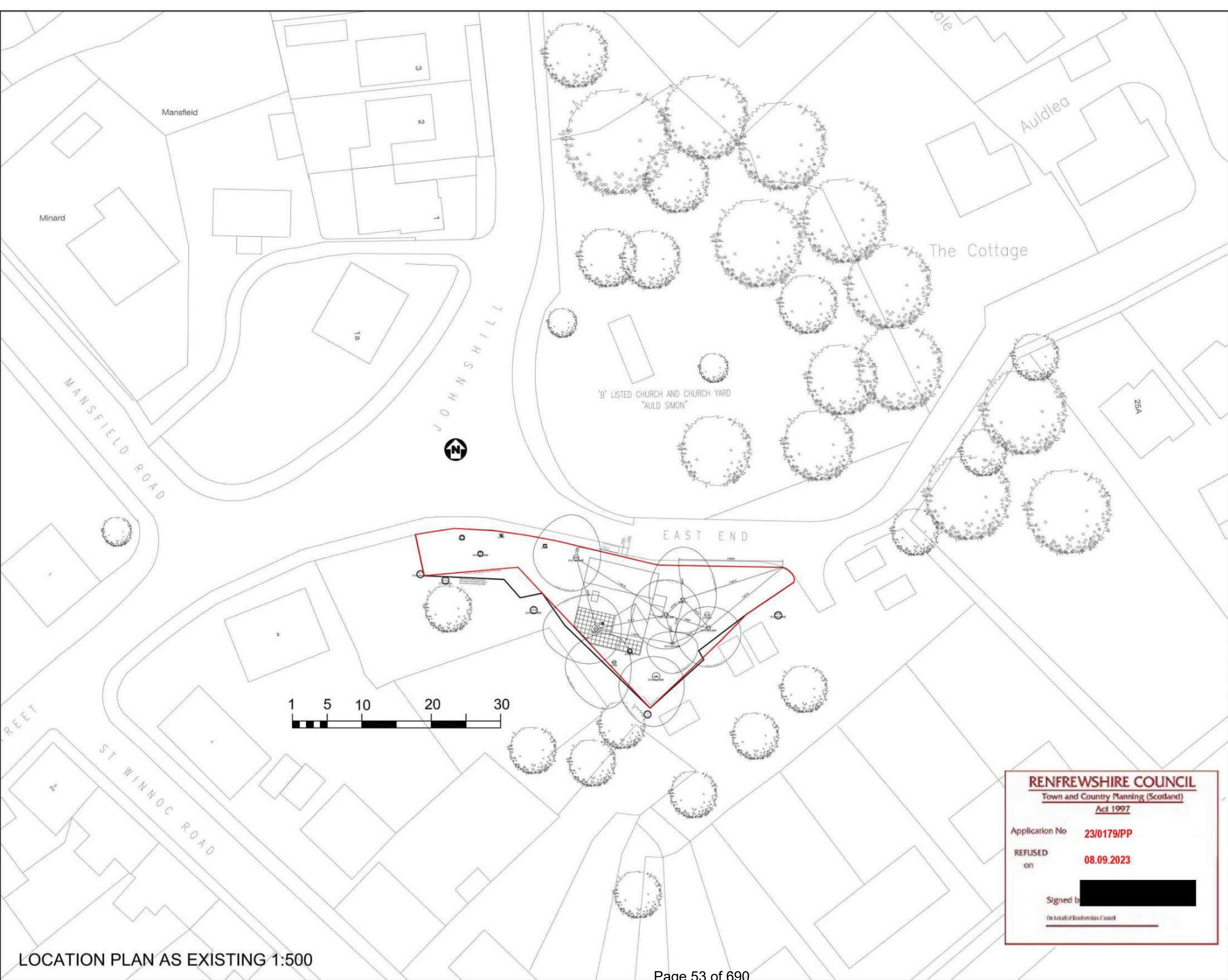
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REFUSED

on 08.09.2023

Signed by

On behalf of Renfrewshire Council



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Rev	Date	Description
5.04.23	planning application	

Client:
David & Louise Johnston
Project:
East End, Lochwinnoch- New House
Drawing Title:
Location Plan

RENFREWSHIRE COUNCIL

Town and Country Planning (Scotland)

Act 1997

Application No 23/0179/PP

REFUSED on 08.09.2023

Signed by [Redacted]

On behalf of Renfrewshire Council

CHG architecturetd

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Drg No : 2301A-00 Date : 20.02.23

Scale: 1:500@A3 Rev: -

Status: Planning

LOCATION PLAN AS EXISTING 1:500

Tree Condition Survey

**Land adjacent to the Old Simon Kirk, Johnshill
East end, Lochwinnoch**

14th June 2022



Prepared for
Mr & Mrs Johnston

Prepared by
C. A. Calvey, P.T.I., Tech.Cert (Arbor.A), Cert.Arb (RFS), BA Hons.
Principal Arboricultural Consultant
Ayrshire Tree Surgeons Ltd

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Introduction

The arboricultural survey was conducted in May 2022 for a small area of land at East end, Lochwinnoch adjacent to the Old Simon Kirk, Johnshill (PA12 4ES). Trees were assessed in accordance with BS 3998:2010 *"Tree work 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. Please refer to Report Limitations on pages 9 -10. 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 a former residential garden originally containing several mature trees and over time has been colonised, principally by sycamore trees. The mature trees and ground cover are heavily cloaked with ivy and roadside trees are substantially overhanging the carriageway. The tree stock is unmanaged and consequently some trees are in a poor condition and recommended for removal. Chalara Ash dieback has also colonised the site.

Planning Considerations

Trees are within the Lochwinnoch Conservation Area and out with the Lochwinnoch Tree Preservation Order. Please refer to the Designations Map Appendix 2, page 12.

<https://ren.maps.arcgis.com/apps/webappviewer/index.html>

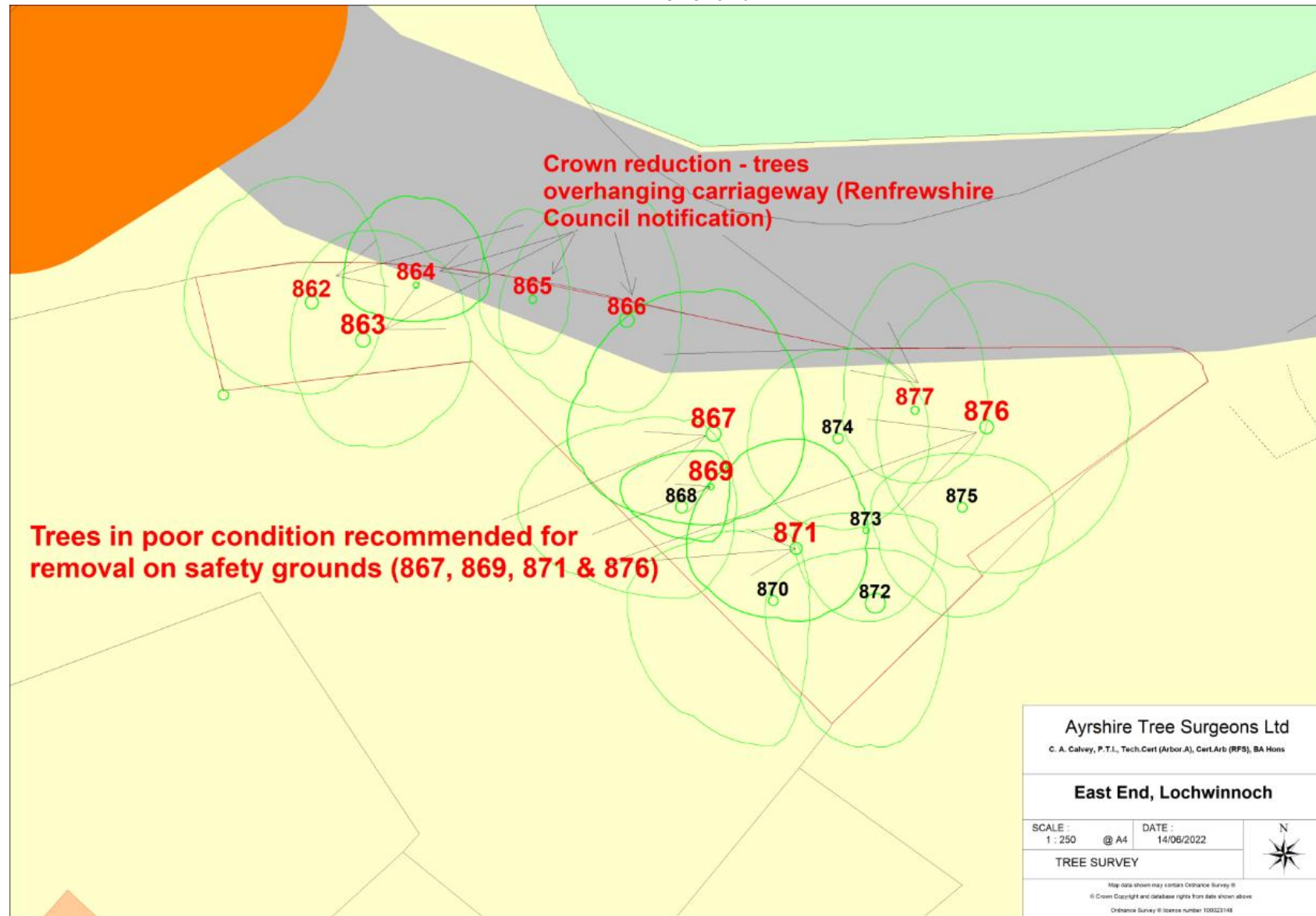
Council Advisory Notice Ref: GS18052022.

Renfrewshire Council has issued a notice under the Roads (Scotland) Act 1984 that overhanging trees are to be cut back to a minimum of 5.5m above the road and at least 1m from the edge of the carriageway.

The report is in accordance with the Council Notice and recommends further tree safety work.

Recommendations

1. Crown reduction to trees overhanging carriageway; 862, 863, 864, 865, 866, and 877.
2. 4 trees are recommended for removal on the basis of poor condition (867, 869, 871 & 876) and should be removed within 2 months.





View from tree 862 towards East End Road



Ash 867 for removal



876 with basal decay for removal



Tree 870



Tree view south from East end road



Tree view west



Tree view south west from East end road



Tree view east- trees overhanging road

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)	Crown Spread N (m)	Spread - E (m)	Spread - S (m)	Spread - W (m)	Life Expectancy	Cond. Class
235570.8 659091.8	862	Common Lime <i>Tilia europaea</i> <i>Co dominant stems at 2m, vertical crack with decay south basal area, raised soil level with boulders obscuring roots.</i>	Mature	17	4	1	720		7	4	5	7	20 to 40 yrs	Fair
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												
235573.6 659089.8	863	Sycamore <i>Acer pseudoplatanus</i>	Mature	18	11	1	810		6	6	6	4	20 to 40 yrs	Good
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												
235576.5 659092.8	864	Common Lime <i>Tilia europaea</i> <i>Epicormic growth and ivy obscures basal area, suppressed canopy</i>	Semi-mature	10	4	1	320		5	4	2	4	10 to 20 yrs	Fair
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												
235582.9 659092	865	Common Lime <i>Tilia europaea</i> <i>Suppressed canopy</i>	Mature	17	5	2	450	220	5	2	3	3	20 to 40 yrs	Fair
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												
235588 659090.9	866	Sycamore <i>Acer pseudoplatanus</i> <i>ivy clad</i>	Mature	17	5	1	810		7	3	5	7	20 to 40 yrs	Good
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												

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)	Crown Spread N (m)	Spread - E (m)	Spread - S (m)	Spread - W (m)	Life Expectancy	Cond. Class
235592.7 659084.7	867	Common Ash <i>Fraxinus excelsior</i> Large cavity with decay, north basal area. Rookery in crown. Ivy clad. Removal recommended.	Mature	23	11	1	820		8	5	5	8	<10 yrs	Poor
235591 659080.7	868	Common Beech <i>Fagus sylvatica</i> Weak union at 3m, 1m back from fence Ivy clad.	Mature	21	6	1	670		5	3	5	9	20 to 40 yrs	Fair
235592.6 659081.8	869	Common Ash <i>Fraxinus excelsior</i> Large cavity with decay at south basal area, tall and sparse crown with apical die back. Ivy clad. Removal recommended.	Semi-mature	22	19	1	320		2	1	3	5	<10 yrs	Poor
235596 659075.5	870	Common Lime <i>Tilia europaea</i> Suppressed canopy leaning heavily west, cavity at 3m. Ivy clad.	Mature	18	3	2	550	310	4	2	8	8	20 to 40 yrs	Fair
235597.2 659078.4	871	Sycamore <i>Acer pseudoplatanus</i> Large cavity at 3m, healthy canopy with rookery, hammer detected hollow below cavity. Removal recommended.	Mature	23	7	1	670		6	4	4	6	<10 yrs	Poor
235601.6 659075.4	872	Sycamore <i>Acer pseudoplatanus</i> posioned 4m from rear fence, Ivy clad	Mature	24	6	1	1100		3	4	8	6	20 to 40 yrs	Fair

Eastings 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)	Crown Spread N (m)	Spread - E (m)	Spread S (m)	Spread W (m)	Life Expectancy	Cond. Class
235601.1 659079.4	873	Sycamore <i>Acer pseudoplatanus</i> <i>Suppressed, ivy clad.</i>	Semi-mature	22	10	1	340		1	4	5	4	20 to 40 yrs	Fair
235599.5 659084.4	874	Sycamore <i>Acer pseudoplatanus</i> <i>Ivy clad</i>	Mature	23	9	1	560		5	5	5	5	20 to 40 yrs	Fair
235606.3 659080.6	875	Sycamore <i>Acer pseudoplatanus</i> <i>Epicormic growth obscures basal area.</i>	Mature	23	7	1	550		3	5	6	5	20 to 40 yrs	Good
235607.6 659085	876	Sycamore <i>Acer pseudoplatanus</i> <i>Decay north basal area. Rookery in crown.</i> <i>Removal recommended.</i>	Mature	24	5	1	760		8	8	8	6	<10 yrs	Poor
235603.7 659085.9	877	Common Beech <i>Fagus sylvatica</i> <i>Suppressed canopy. positioned 5m from fence.</i> <i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>	Semi-mature	18	5	1	450		8	4	4	4	20 to 40 yrs	Good

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 $\frac{1}{3}$ rd life expectancy.
- EM: Early Mature trees between $\frac{1}{3}$ rd and $\frac{1}{2}$ of life expectancy.
- M: Mature trees between $\frac{1}{2}$ and $\frac{2}{3}$ rd 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 land owner'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 as long as 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.



Christopher Calvey - Ayrshire Tree Surgeons Ltd

Appendix 1: Project Contact Details

David & Louise Johnston
East end, Lochwinnoch
Land adjacent to the Old Simon,
Johnshill.



Renfrewshire council planning

Development Management Section,
Chief Executive's Service,
Fourth Floor,
Renfrewshire House,
Cotton Street, Paisley, PA1 1WB.



Project Arboriculturist

Christopher Calvey,
Ayrshire Tree Surgeons Ltd
North Hourat Farm,
Kilbirnie, Ayrshire
KA25 7LJ



Appendix 2: Planning Designations (Site in Red)

Layers

- ☐ Listed Buildings
- ☐ Ancient Scheduled Monuments
- ☒ Conservation Areas
- ☒ TPOs (Tree Preservation Orders - Area)
- ☐ Ancient Woodlands Inventory
- ☐ Core Paths
- ☐ Ancient Woodlands Inventory (Semi-Natural)
- ☐ Natural Habitats
- ☐ Local Nature Reserves
- ☐ SINCs (Sites of Importance for Nature Conservation)
- ☐ SSSIs (Sites of Special Scientific Interest)
- ☐ SPA (Special Protection Area)
- ☐ Smoke Control Zones
- ☐ Permitted Development Rights Removed



Appendix 3: References

British Standards Institute. (2012). *Trees in Relation to Design, Demolition and Construction – Recommendations BS5837:2012BSI*, London.

British Standards Institute. (2010). *Recommendations for Tree Work BS 3998:2010 BSI*, London.

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Lonsdale D. (1999). Research for Amenity Trees No 7: Principles of Tree Hazard Assessment and Management, HMSO, London.

Mattheck & Breloer H. (1994). Research for Amenity Trees No.4: The Body Language of Trees, HMSO, London.

NHBC Standards (2007) Chapter 4.2 'Building Near Trees'. National House-Building Council.

NJUG 4 Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees. Issued 16 November 2007.

STROUTS R.G. & WINTER T.G. (1984), Diagnosis of ill health in trees, HMSO Publications, London

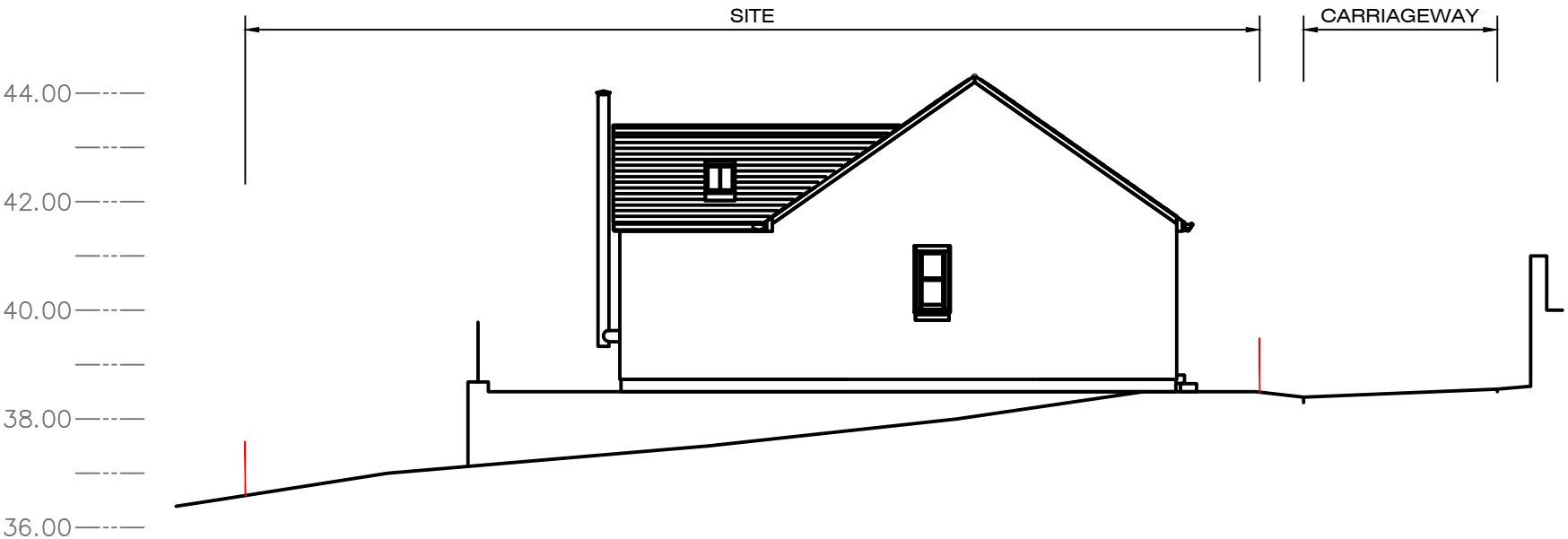
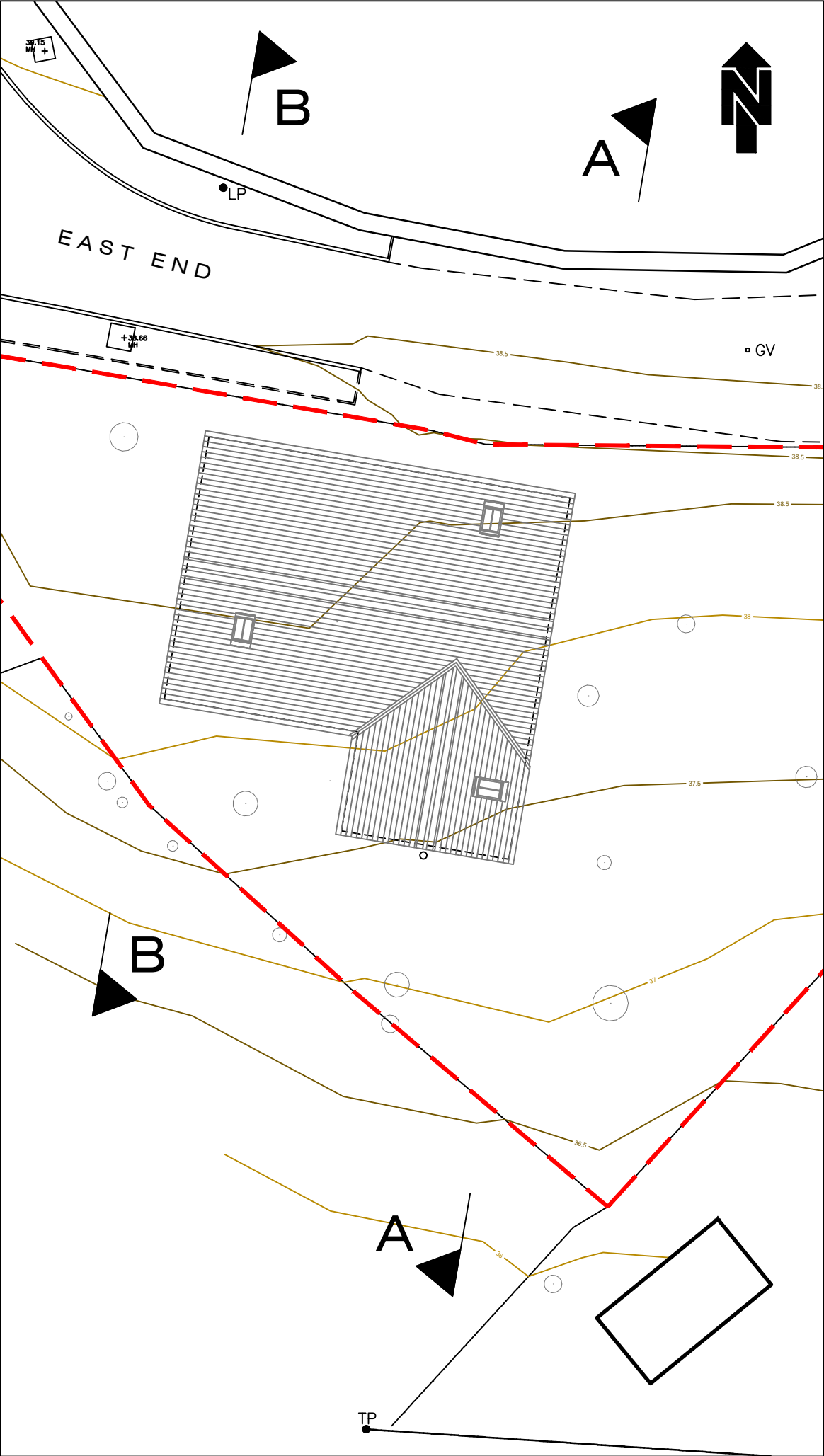
SHIGO A.L. (1991), Modern Arboriculture, Shigo and Trees Associates

Hazards from Trees – A General Guide ISBN 0-85538-514-6

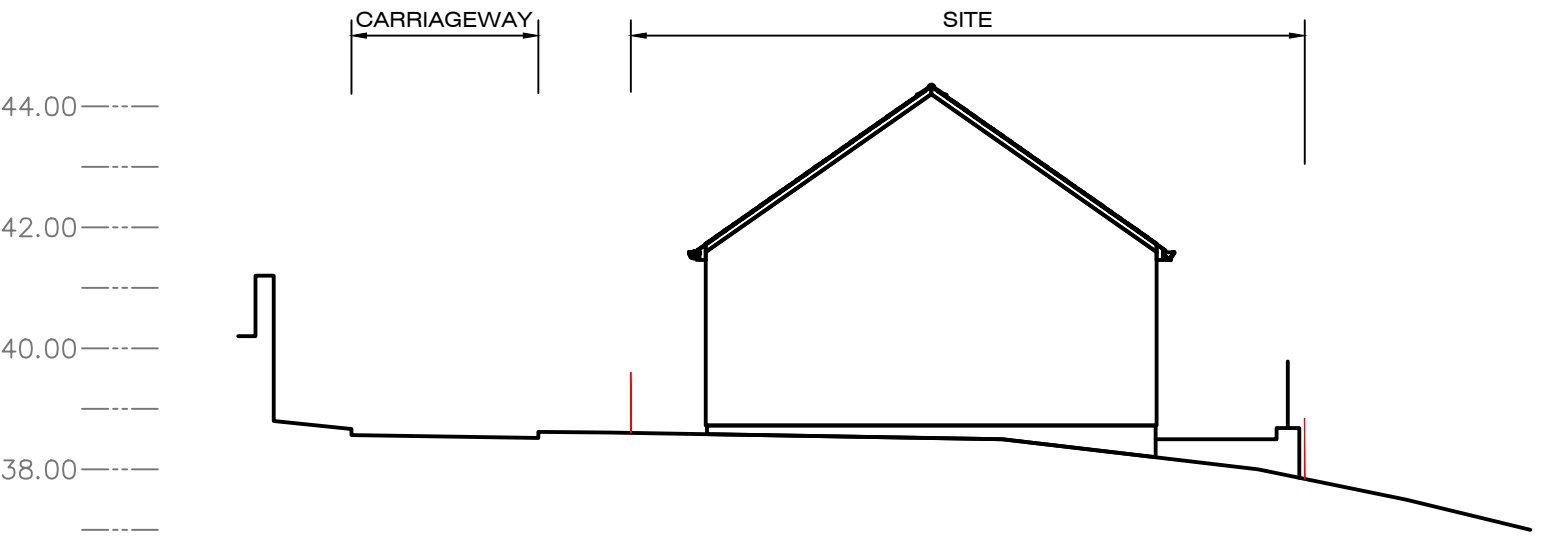
Tree Felling – Getting Permission. Forestry Commission and free to download from their website www.forestry.gov.uk

Trees and the Law ISBN 0-900978-15-5 Published by the Arboricultural Association Tel: 01794 68717

Institute of Chartered Foresters Tel: 0121 225 2705



SECTION A-A (EAST GABLE)



SECTION B-B (WEST GABLE)

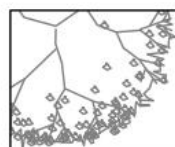
EAST END LOCHWINNOCH
APPEAL APPLICATION No. 23/0179/PP
SITE SECTION



EAST END

SUPPLEMENTARY PLANTING OF
TREES (ARBORIST TO ADVISE) AND
SHRUBS.

LEGEND:

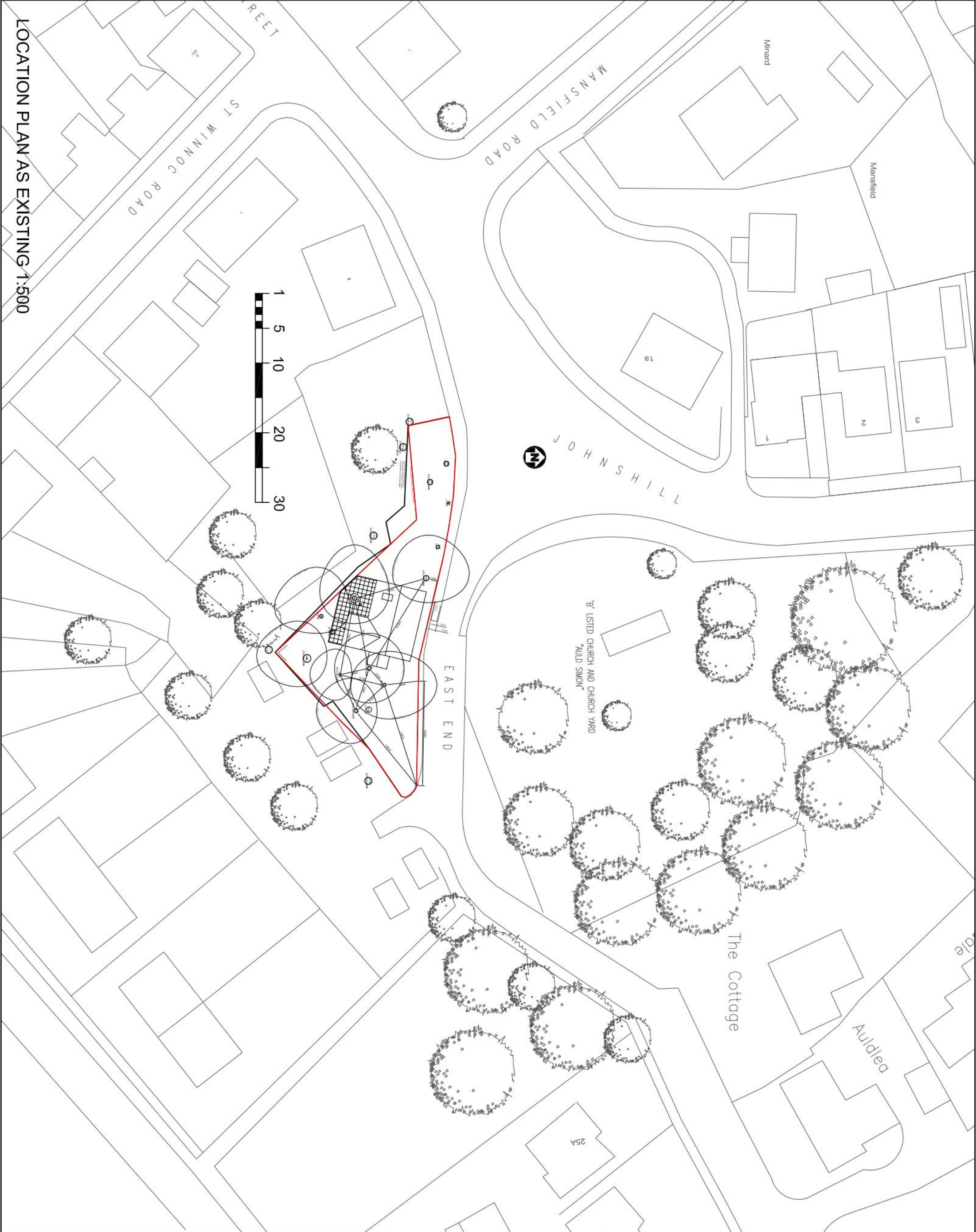


EXISTING TREES WITHIN APPLICATION BOUNDARY



SUPPLEMENTARY PLANTING (ARBORIST TO ADVISE SPECIES)

EAST END LOCHWINNOCH
APPEAL APPLICATION No. 23/0179/PP
SUPPLEMENTARY PLANTING - PLAN



LOCATION PLAN AS EXISTING 1:500

Client: David & Louise Johnston	
Project: East End, Lochwinnoch - New House	
Drawing Title: Location Plan	
CHG architecture td	
54 Braehead, Lochwinnoch PA12 4AS T: 01505842439 M: 07739827647 info@chgarchitecture.com	
Dwg No: 2301A-00	Date: 20.02.23
Scale: 1:500@A3	Rev: -
Status: Planning	

Rev	Date	Description
5.04.23		planning application

A.T.K. PARTNERSHIP
CIVIL & STRUCTURAL ENGINEERING
CONSULTANTS

**STRUCTURAL APPRAISAL ON
FOUNDATION OPTIONS**

PROJECT : PROPOSED HOUSE at EAST END, LOCHWINNOCH

CLIENT : Mr D JOHNSTON

PROJECT REF NO : 16781

DATE : DECEMBER 2022

33 UNION STREET
GREENOCK
PA16 8DN

Tel: (01475) 787797
Email: mail@atk-partnership.co.uk

1.0 Introduction

1.1 ATK Partnership were invited to review the options available to form the foundations for the proposed house with particular attention being paid to the close proximity to the existing trees.

2.0 Scope of the report

2.1 The scope of the following report was to investigate the various foundations readily available and to advise on the best solution. A site inspection was carried out on the 8th December 2022.

2.2 The investigation comprised a visual non-disruptive inspection of the site and no trial pits or boreholes were carried out.

2.3 A topographical survey was made available along with a tree condition report prepared by Ayrshire Tree Surgeons.

2.4 Photographs are also included which help to identify the density of the present growth on site.

3.0 Observations

3.1 The site comprises a long almost rectangular shaped site with a broader triangular shaped section to the rear. It lies opposite the church known as Auld Simon and at the junction of Johnshill and East End.

3.2 The proposed house will be detached, probably a one and a half storey built in timber frame construction and located as shown on the attached plan.

3.3 The main trees which will be closely affected are shown on the site plan along with others lying outwith the building area.

3.4 The construction using timber frame will be fairly light around 35kN/m and may have a brick outer cladding but also may have a timber cladding as an alternative.

3.5 The ground floor construction is likely to be a suspended concrete floor with integral insulation to help form the U-values.

3.6 Since the tree survey report some of the badly affected (rotted) trees have been taken down in line with the recommendations of the tree report.

4.0 Foundation options

4.1 Traditional strips

4.2 On the basis that the soil conditions are favourable and ordinary strip foundations are possible these would be expected to be constructed at around 600mm down from the proposed ground.

4.3 However the foundations will be prone to damage by the remaining roots of the trees and in line with guidance by the NHBC consideration must be given to the use

of trench fill concrete to take the excavations below the level of anticipated damage. Along with the use of trench fill it would be sensible to use a root barrier system to help prevent damage to the founds.

4.4 The excavations for the foundations may also do damage to the root infestation locally within the house footprint with any remaining trees also affected by this root loss.

4.5 Raft Slab

4.6 Due to the light loads involved a simple slab raft would also be a suitable option sitting on a cushion of compacted hardcore.

4.7 However due to the preferred detail of having a limited excavation the existing roots will still exist under the raft slab, probably through the hardcore, and may lead to structural damage to the slab in time.

4.8 Piling

4.9 Piling would be solution by excluding the loads being taken down on to the immediate sub-surface soils. Due to the nature of the piles involved the loads would be taken further down into the sub-soils and below the level of the expected root bowl. The perimeter walls and any internal loadbearing lines would be supported on concrete ground beams spanning between the piles.

4.10 The ground floor would be constructed with either a cast in-situ concrete slab supported on a permanent steel sheet formwork such as Holorib or Ribdeck. This would help to support the floor and span across the top of any root system below the footprint of the house. An alternative could be the use of beam and block flooring which is a sectional floor system but again spanning clear between the ground beams.

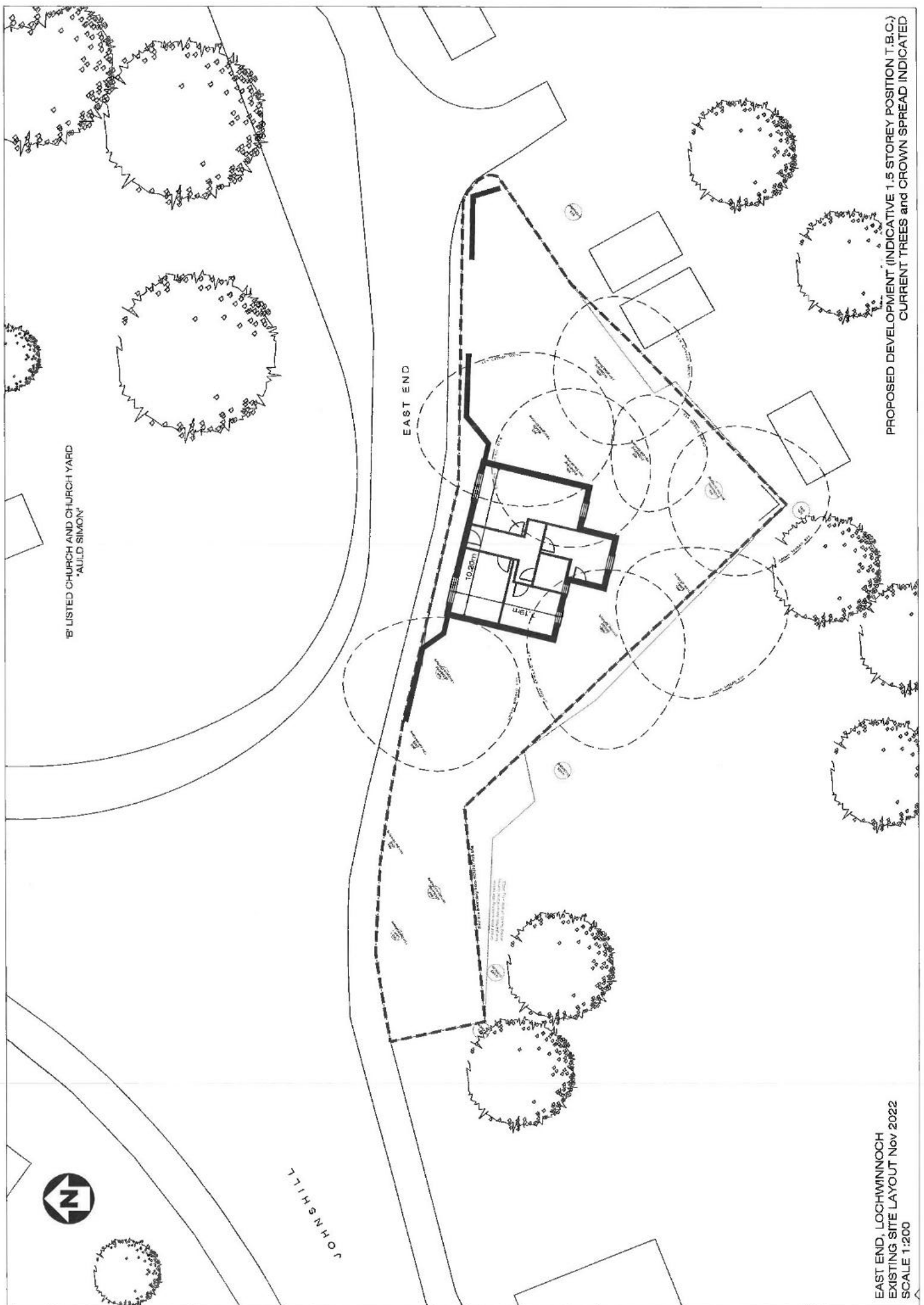
4.11 There are various piling systems available using driven steel tubes or continuous flight auger piles which all do the same job of transferring the loads below the sensitive areas.

5.0 Recommendations

5.1 On the basis of the above options and trying to limit the damage on site we are of the opinion that a system of piling using Shire stabilisers or similar would prove to be the best option. These are small scale piles developed for the domestic market and do not require heavy specialist plant that could damage shallow roots.

5.2 The advantage of using such a system is the small scale nature of the piles which are driven in manually without the need for heavy plant traversing the site. Should tree roots appear within the piling area it should be easy to move the location of the piles to miss these.

5.3 From the information available at this stage we are of the opinion that a suitable footprint of around 10 x 7m should be capable of fitting between the remaining trees. A final design can be agreed in due course.



B' LISTED CHURCH AND CHURCH YARD
"AULD SIMON"

EAST END

JOHN HILL

PROPOSED DEVELOPMENT (INDICATIVE 1.5 STOREY POSITION T.B.C.)
CURRENT TREES and CROWN SPREAD INDICATED

EAST END, LOCHWINNOCH
EXISTING SITE LAYOUT Nov 2022
SCALE 1:200



View along East End looking towards Johnshill (Main Street)



View of possible development area with some trees felled in the distance

Tree Condition Survey

**Land adjacent to the Old Simon Kirk, Johnshill
East end, Lochwinnoch**

14th June 2022



Prepared for
Mr & Mrs Johnston

Prepared by
C. A. Calvey, P.T.I., Tech.Cert (Arbor.A), Cert.Arb (RFS), BA Hons.
Principal Arboricultural Consultant
Ayrshire Tree Surgeons Ltd



View from tree 862 towards East End Road



Ash 867 for removal



876 with basal decay for removal



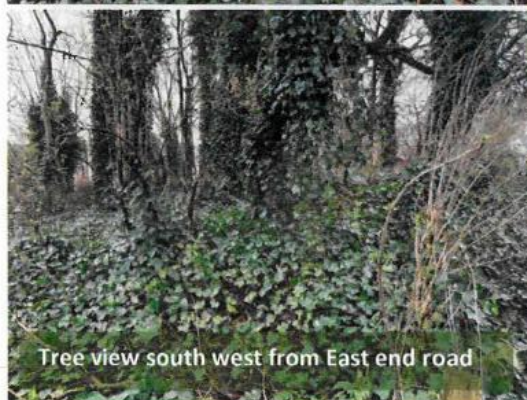
Tree 870



Tree view south from East end road



Tree view west



Tree view south west from East end road



Tree view east- trees overhanging road



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Bringing fresh thinking to civil & structural engineering

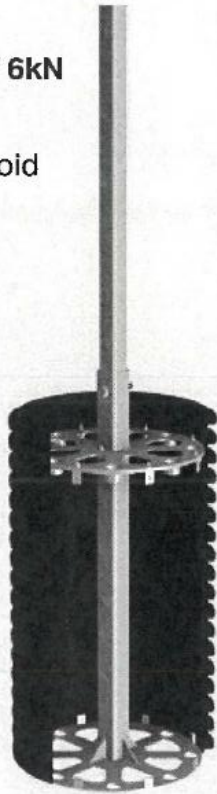
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- » No concrete
- » Spoil is backfilled into the void
- » Reusable and recyclable
- » Designed to loading & ground conditions
- » Installed with hand-held equipment
- » Also available in 1.5m, 2m, 2.5m & 3m ground anchors
- » Height adjustable



ShirePile

**SUPPORTS LOADS UP TO 7 TONNES
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- » A solution for all soil types
- » Unique patented design
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- » Installed in confined spaces
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- » Up to 10m deep
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- » Installed with lightweight post driver
- » Available with 1.5m, 2m, 2.5m & 3m ground anchors
- » 700mm height



ShireRootBase *S-Range*

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INSTALLED IN 15 MINUTES**

- » Tested with vertical forces of **over 8 tonnes**
- » Available in over 10 configurations
- » No concrete
- » Reusable
- » Designed to loading & ground conditions
- » Installed with lightweight post driver
- » Available with 1.5m, 2m, 2.5m & 3m ground anchors
- » Compact size



What our clients think...

The team could not have been more helpful

I am very pleased. Very efficient, sincere & hard working. They explained every step within the works - well done to you all

The work on site was excellent, it was kept so clean & tidy

Applications



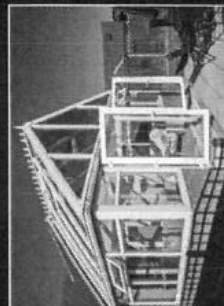
Garden rooms



SIPS panels



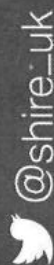
Single storey extensions



Conservatories / Orangeries

About Shire

The QuickBase Foundation System was designed by Structural Engineers at Shire and patented in 2008. Since it's launch, 12 million m2 have been installed across the UK. QuickBase is a multi-award-winning flooring, beam and pile system. A totally unique foundation system for conservatories and single-storey structures, revolutionising conventional construction methods.

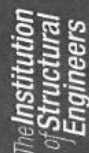


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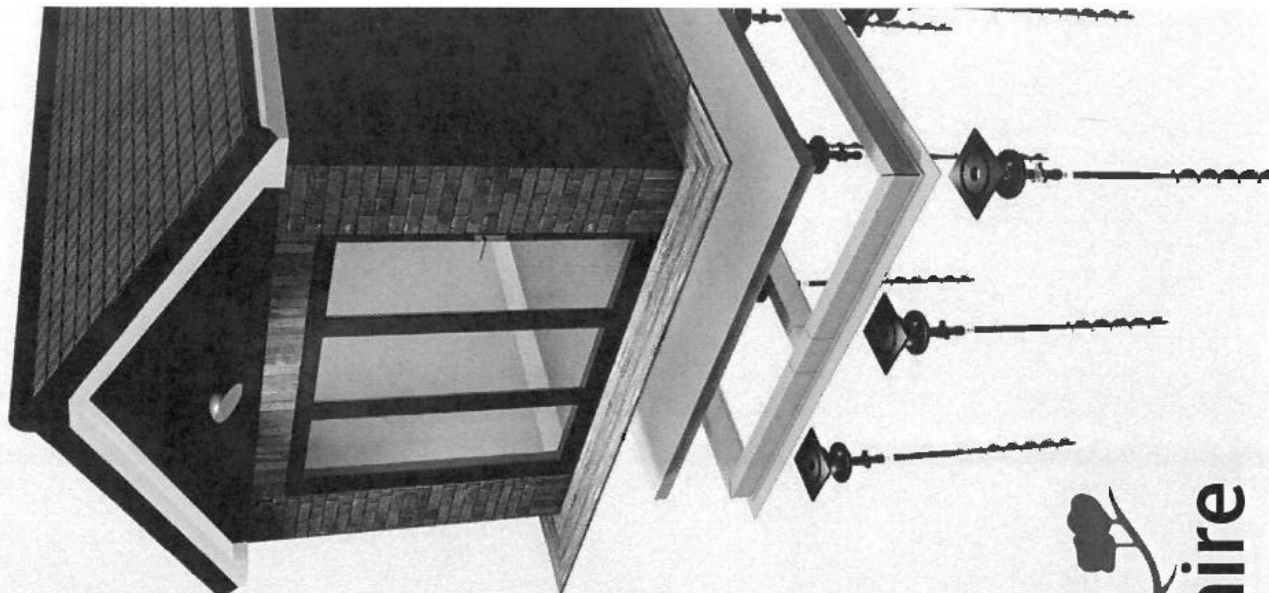
engineers@shire-uk.com

01527 579933



QuickBase Foundation Systems

Foundations to protect your investment



Why?

Protecting your investment - what steps can be put in place to prevent foundation problems occurring?

- Below are 4 practical steps to consider:
- Don't accept a 'one size fits all' foundation
- Take reasonable precautions to mitigate against the effects of nearby trees and soft soils
- Choose the right kind of foundation for your building
- Consider access requirements & restrictions. Ask for advice if needed

The foundations are one of the most important parts of your building investment. Often more time is spent considering the type of floor tiles than the foundation type. Foundations are often specified as a standard design 'to be confirmed on site'. This can lead to inappropriate foundations being constructed. It is essential that adequate thought is given to the foundation type and depth before work starts on site.

At Shire we design foundation systems for a wide range of project types. We have developed patented systems like QuickBase giving deep piled foundations that can be taken down to depths below the zone of influence of any tree roots or down to 20m in soft soils to find 'good ground'. QuickBase has also been designed to be installed in areas where parking & access is restricted. Foundations are installed quickly, often leading to cost reductions in the overall schedule.

Where there are unknown ground conditions, our geotechnical team can investigate and give advice on the appropriate solution. For more information, including a detailed guide contact engineers@shire-uk.com

ShirePile >
Supports loads of up to 70kN

ShireQuickBase

About the system

- Designed by Structural Engineers
- Made in the UK
- Unique patented design
- Achieves U-values of 0.02 W/m²K
- Combined floor, beam & pile solution
- Installed on a Shire Pile as standard

The modular system is based on helical screw piles, which support lightweight, part-recycled plastic ground beams connected via a series of push-fit joints to form a frame. The ground beam is then filled with a specially formulated non-shrink grout to give a high strength composite beam. The frame carries the load of the building through the piles to suitable bearing strata, uniquely removing the need for mass concrete foundations. It is then fitted with a premanufactured damp proof floor slab onto which the inner wall of the conservatory or extension is built.

QuickBase is particularly cost effective when working in confined spaces, where soil conditions would usually require deep excavation, where limited parking restricts the ability to remove the spoil associated with deep excavation and where trees are near the built site.

The QuickBase system doesn't require wet trade finishing, so labour costs are cheaper and build time is faster. The foundations can be quickly installed rapidly with up to 15m² installed in a day.

Unlike traditional foundations, QuickBase is ideal for less than perfect ground. The piles are generally driven to 4m depth (deeper if required), guaranteeing suitable load-bearing strata, and avoiding troublesome tree roots.

QuickBase is fully compliant with Building Regulations and designed to meet Local Building Control standards. Our Engineers work in partnership with both Local Authority and Private Building Control to ensure all requirements are met. We also offer technical CPD's to any teams not familiar with the system.

Advantages of the system



Fast installation time
15m² installed in 1 day



No need for mass
concrete foundations



Reduces site excavation work

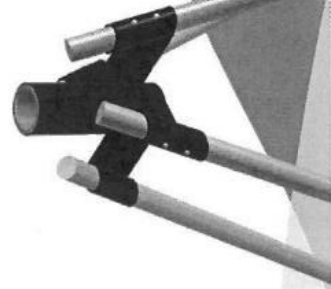


Minimises spoil to landfill

Other piling systems available

ShireClayPile
Anti-heave engineering

ShireRootBase
Installed in 15 minutes



PROPOSED MATERIALS:
 roof - slate
 ridge tiles - metal
 roof structure - timber
 walls - render
 - sandstone
 windows - timber
 doors - timber



NORTH ELEVATION 1:100 (STREETSCAPE)

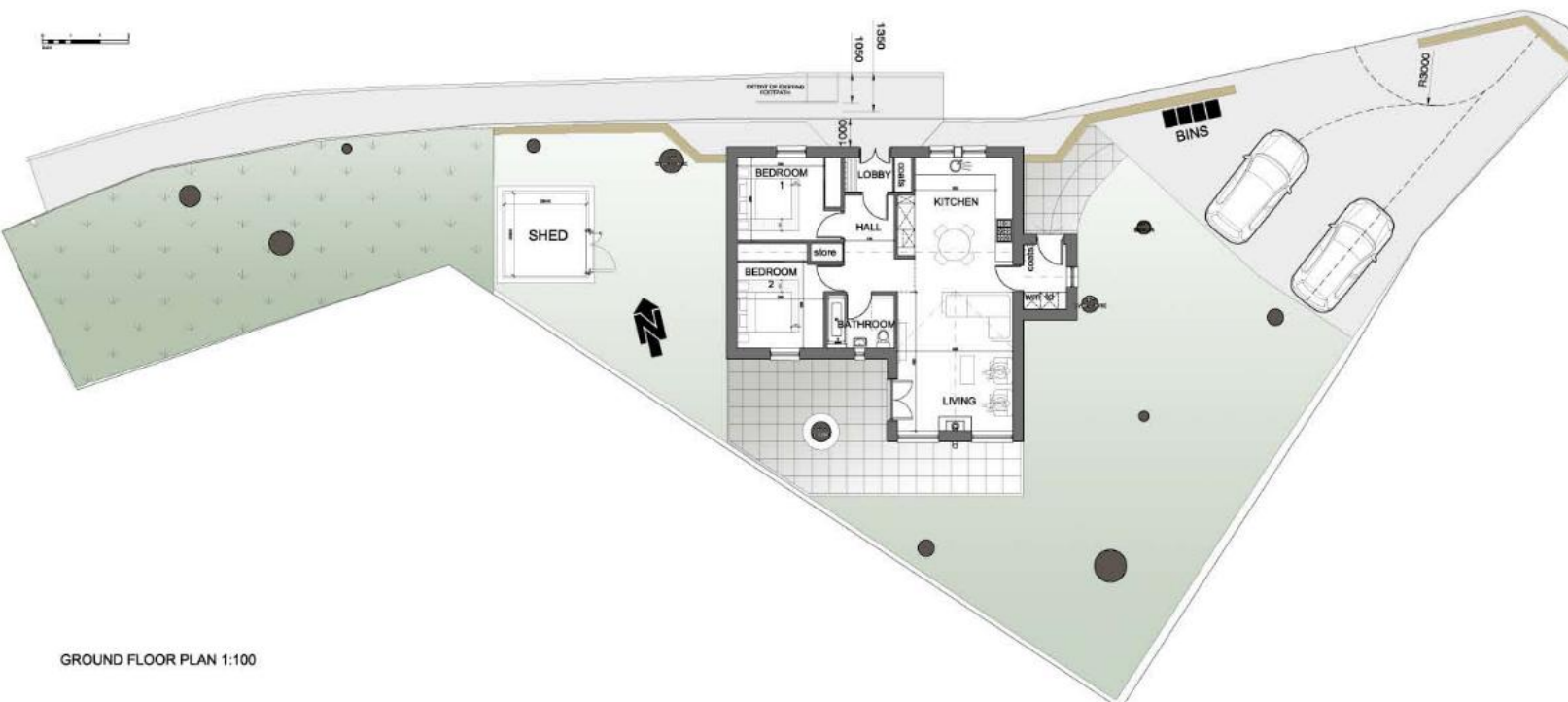


WEST ELEVATION 1:100

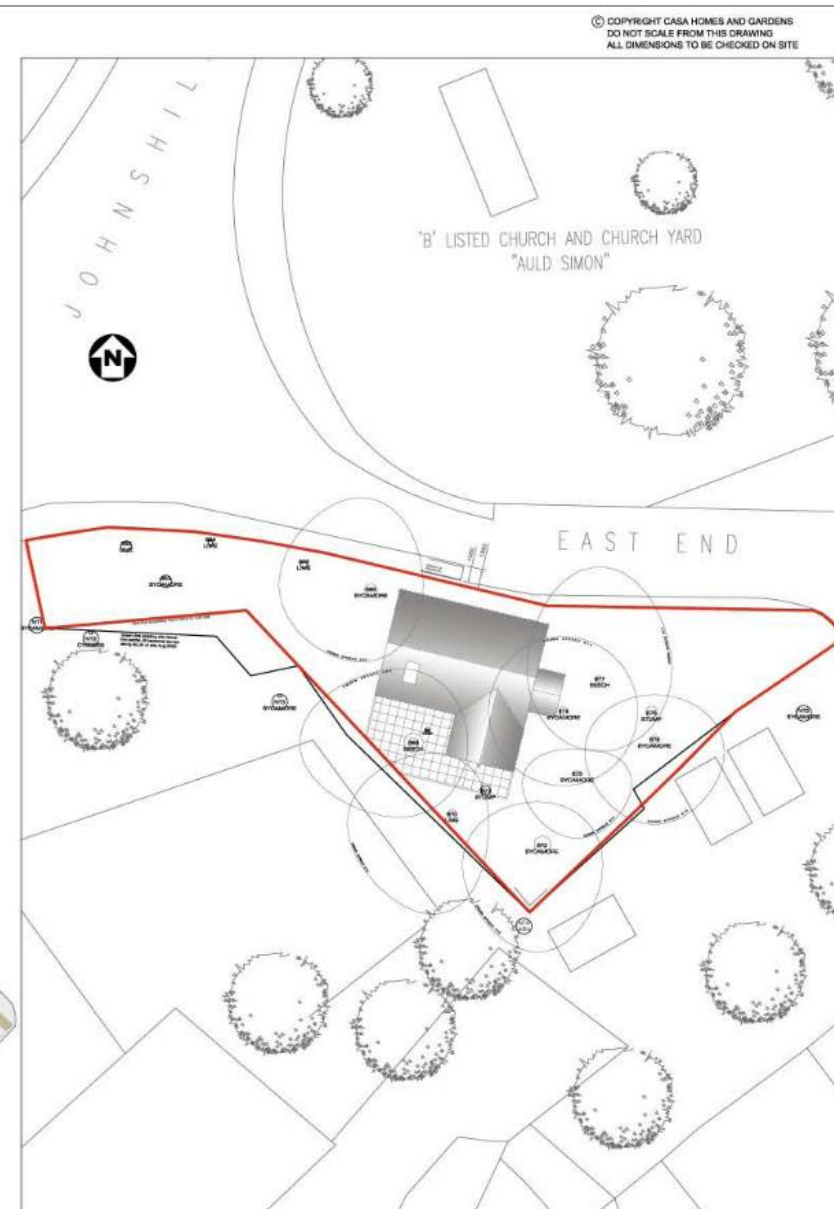
NORTH ELEVATION (WITHOUT FENCE) 1:100

EAST ELEVATION 1:100

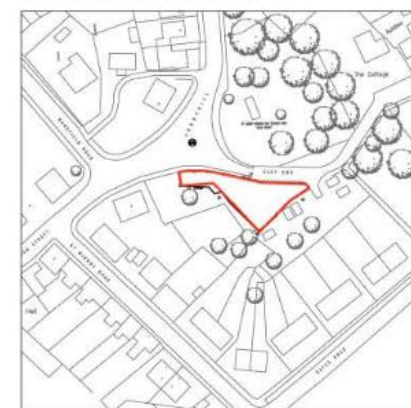
SOUTH ELEVATION 1:100



GROUND FLOOR PLAN 1:100



BLOCK PLAN AS PROPOSED 1:200



LOCATION PLAN 1:1250

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 DO NOT SCALE FROM THIS DRAWING
 ALL DIMENSIONS TO BE CHECKED ON SITE

Rev	Date	Description
1		planning application
2		
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Client :
 David & Louise Johnston
 Project :
 East End, Lochwinnoch- New House
 Drawing Title :
 General Arrangement Plan

CHG architecture ltd
 54 Braehead, Lochwinnoch PA12 4AS
 T: 01505842439 M: 07739827647
 info@chgarchitecture.com

Drwg No: 2301A-01 Date: 20.02.23
 Scale: As noted@A1 Rev: -
 Status: Planning



Dwg No: 2301A-02	Date: 20.02.2023
Scale: 1:100@A3	Rev: -
Status: Planning 54 Braehead, Lochwinnoch PA12 4AS T: 01505842439 M: 07739827647 info@chngarchitecture.com	

- PROPOSED MATERIALS:
- roof - slate
 - ridge tiles - metal
 - roof structure - timber
 - walls - render
 - windows - sandstone
 - doors - timber



NORTH

5.04.23	planning application
Rev	Description

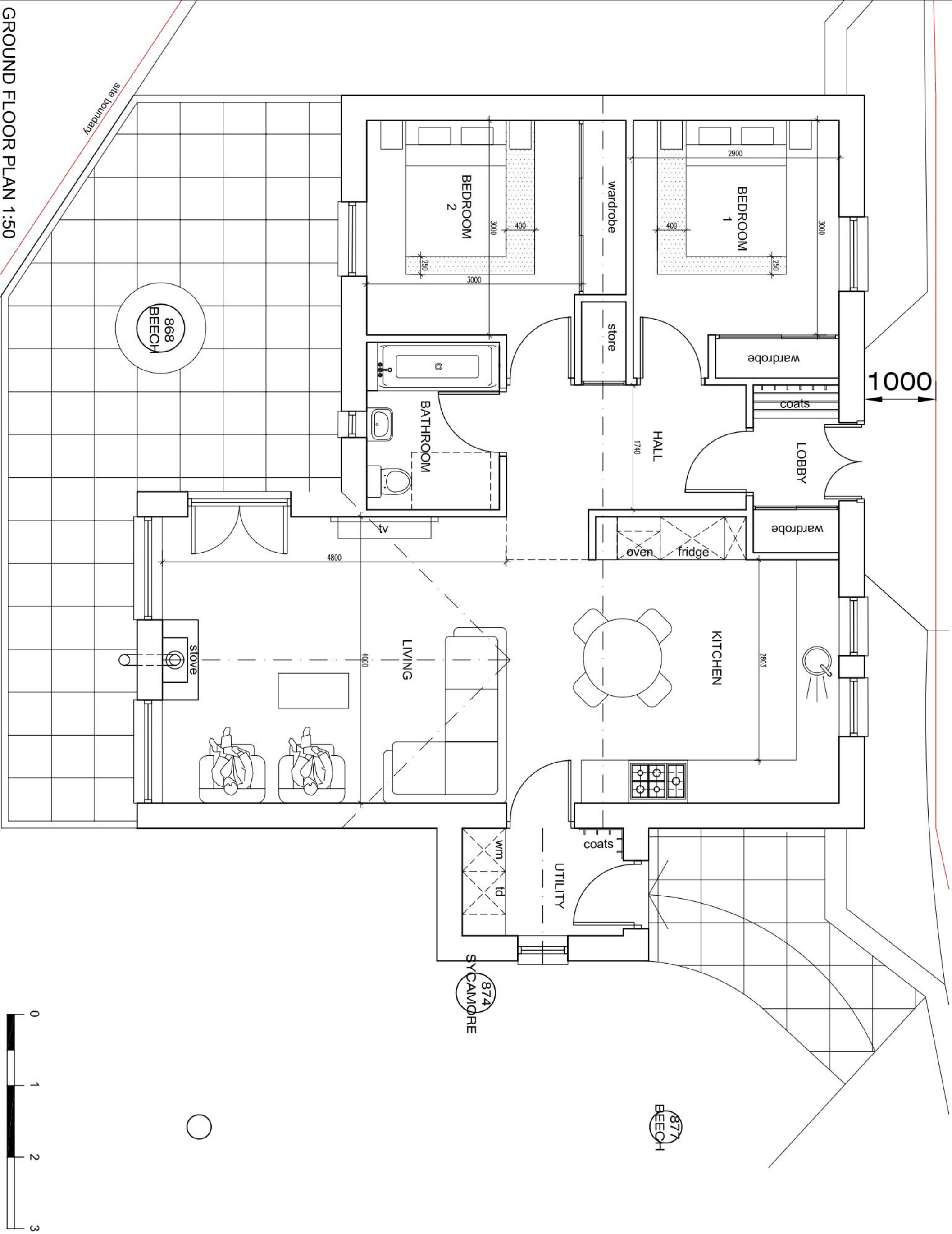
Client: David & Louise Johnston
Project: East End, Lochwinnoch - New House
Drawing Title: Ground Floor Plan
As Proposed

CHG architecture tld

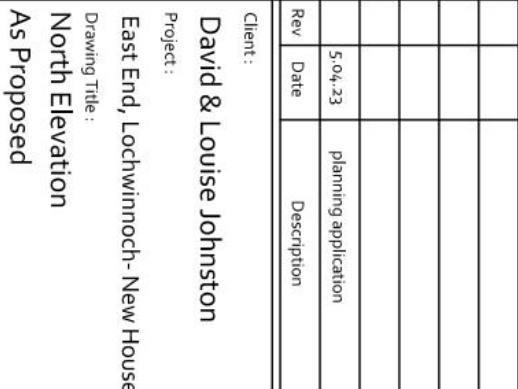
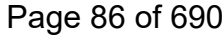
54 Braehead, Lochwinnoch PA12 4AS
T: 01505842439 M: 07739827647
info@chgarchitecture.com

Dwg No: 2301A-03 Date: 20.02.23
Scale: 1:50@A3 Rev: -

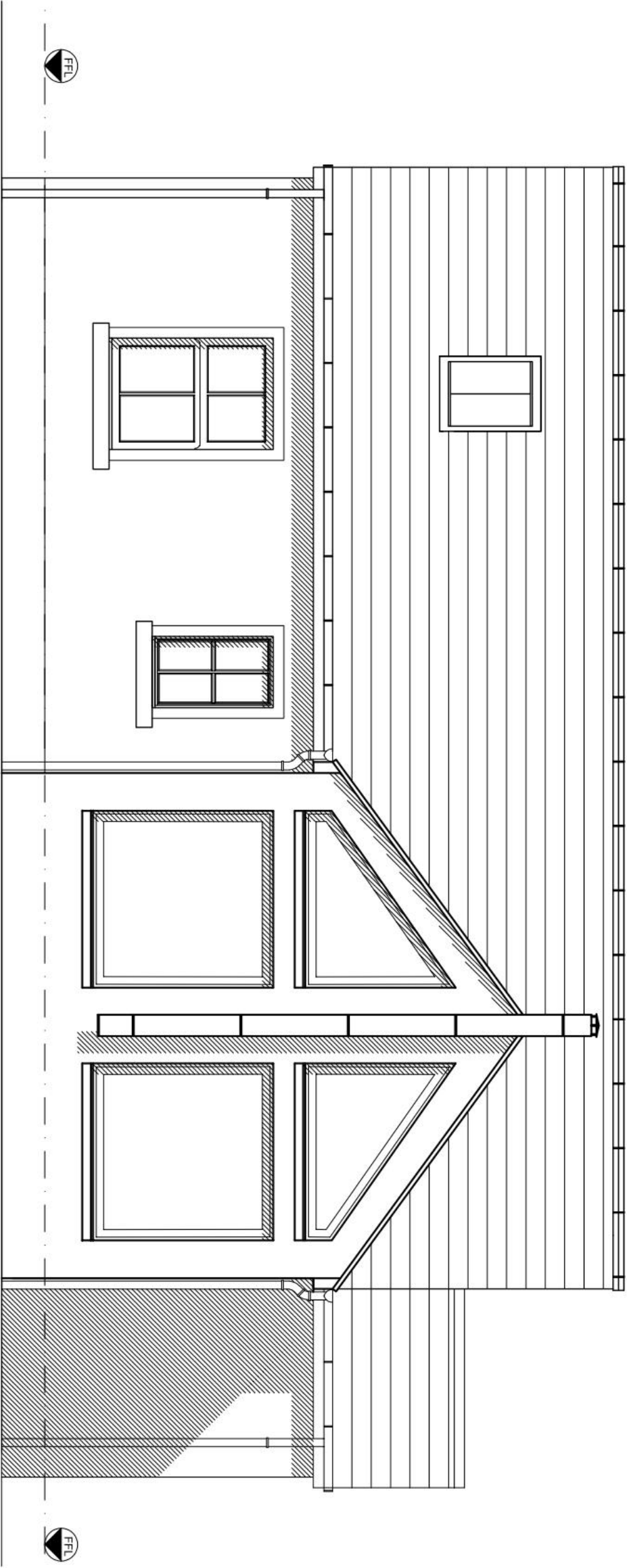
Status: Planning



GROUND FLOOR PLAN 1:50



- PROPOSED MATERIALS:
- | | |
|----------------|-------------|
| roof | - slate |
| ridge tiles | - metal |
| roof structure | - timber |
| walls | - render |
| windows | - sandstone |
| doors | - timber |



5.04.23	planning application
Rev	Description

Client :
David & Louise Johnston
Project :
East End, Lochwinnoch- New House
Drawing Title :
South Elevation
As Proposed

CHG architecturetd

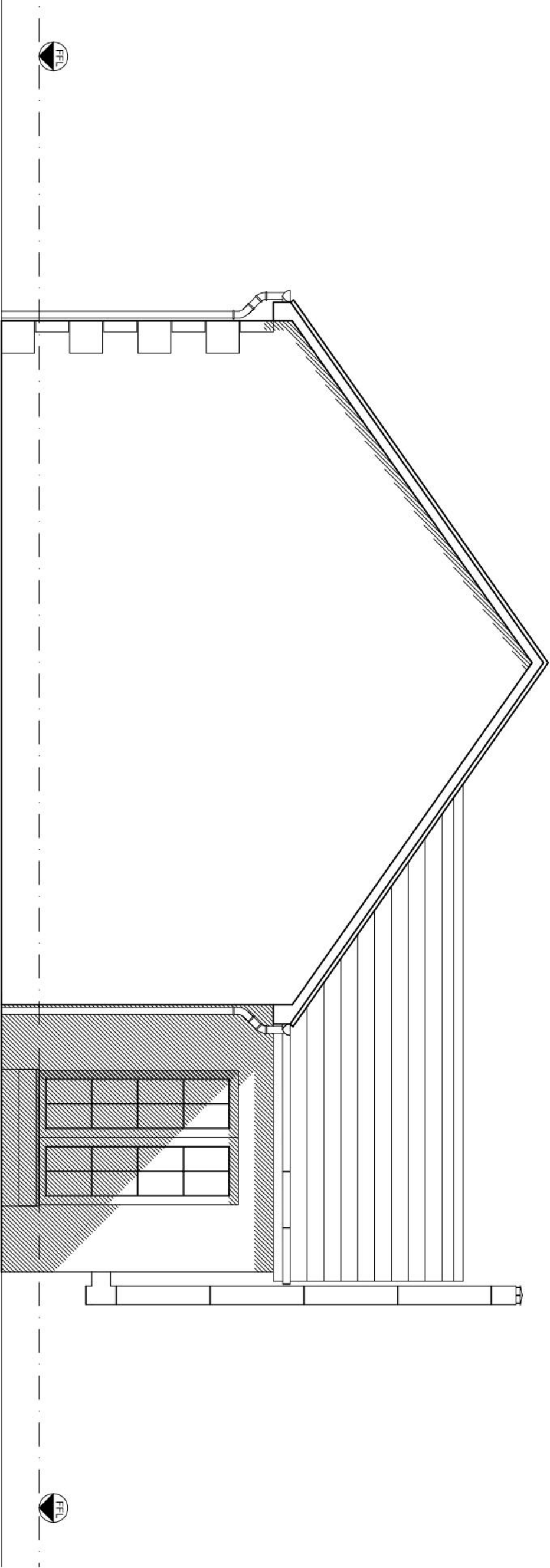
54 Braehead, Lochwinnoch PA12 4AS
T : 01505842439 M: 07739827647
info@chgarchitecture.com

Dwg No : **2301A-05** Date : **20.02.23**
Scale : **1:50@A3** Rev : -

Status : **Planning**

SOUTH ELEVATION 1:50

- PROPOSED MATERIALS:
- | | |
|----------------|-------------|
| roof | - slate |
| ridge tiles | - metal |
| roof structure | - timber |
| walls | - render |
| windows | - sandstone |
| doors | - timber |



5.04.23	planning application	
Rev	Date	Description

Client :
David & Louise Johnston
Project :
East End, Lochwinnoch- New House
Drawing Title :
West Elevation
As Proposed

CHG architecturetd

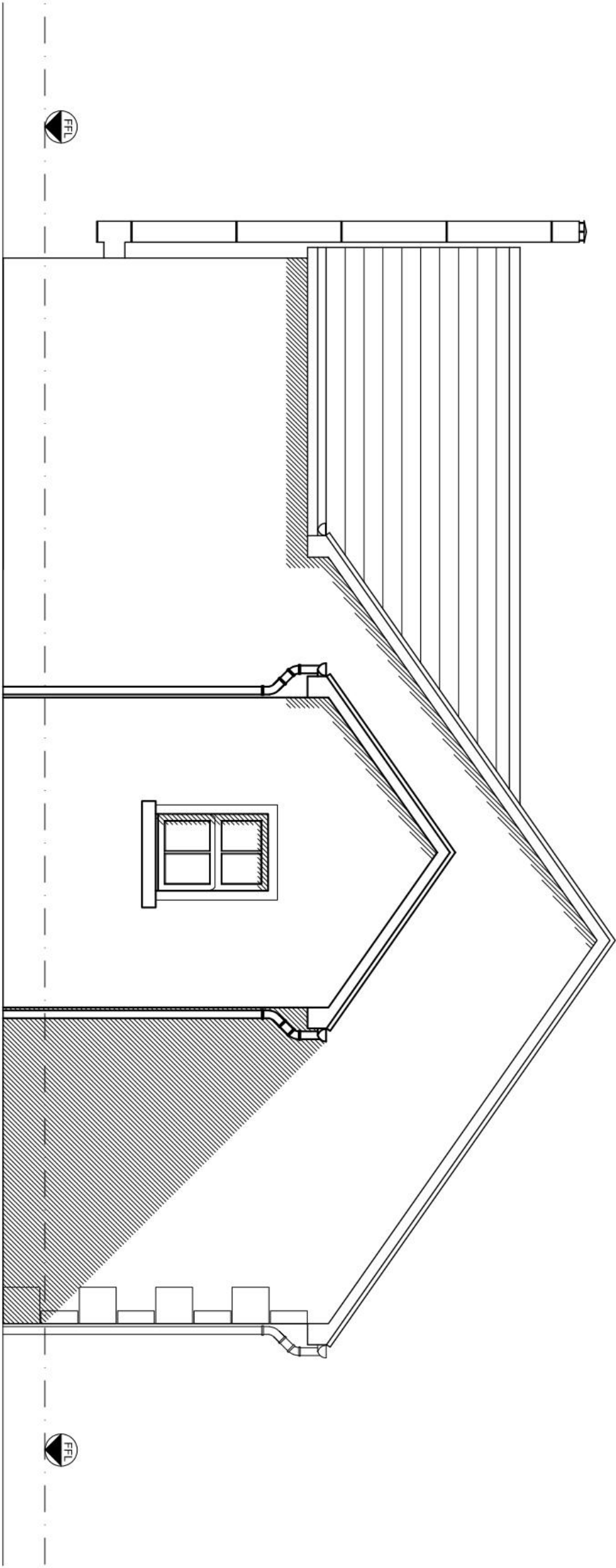
54 Braehead, Lochwinnoch PA12 4AS
T: 01505842439 M: 07739827647
info@chgarchitecture.com

Dwg No : **2301A-06** Date : **20.02.23**
Scale : **1:50@A3** Rev : -

Status: **Planning**

WEST ELEVATION 1:50

- PROPOSED MATERIALS:
- | | |
|----------------|-------------|
| roof | - slate |
| ridge tiles | - metal |
| roof structure | - timber |
| walls | - render |
| windows | - sandstone |
| doors | - timber |



5.04.23	planning application	
Rev	Date	Description

Client :
David & Louise Johnston
Project :
East End, Lochwinnoch- New House
Drawing Title :
East Elevation
As Proposed

CHG architecturetd

54 Braehead, Lochwinnoch PA12 4AS
T: 01505842439 M: 07739827647
info@chgarchitecture.com

EAST ELEVATION 1:50



PROPOSED MATERIALS:

- roof
 - slate
- ridge tiles
 - metal
- roof structure
 - timber
- walls
 - render
 - sandstone
- windows
 - timber
- doors
 - timber



5.04.23	planning application	
Rev	Date	Description

Client :
David & Louise Johnston

Project :
East End, Lochwinnoch- New House

Drawing Title :
3D Visual

As Proposed

CHG architecture **td**

54 Braehead, Lochwinnoch PA12 4AS
T: 01505842439 M: 07739827647
info@chgarchitecture.com

Dwg No : **2301A-08** Date : **20.02.23**

Scale : **1:50@A3** Rev : **-**

Status : **Planning**

PLANNING AUTHORITY'S SUBMISSION

My Ref:
Contact: Clare Murray
Telephone: 07483 370667
Email: dc@renfrewshire.gov.uk
Date: 8 September 2023



Marcelo Dominguez
CHG Architecture Ltd
54 Braehead
Lochwinnoch
PA12 4AS

Proposal: Erection of single storey dwellinghouse and associated works.
Location: Site On Eastern Boundary Of No 2 Johnshill, East End, Lochwinnoch, ,
Application Type: Planning Permission-Full
Application No: 23/0179/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. 23/0179/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

David And Louise Johnston

Flat 0/2

174 Clarkson Road

Cathcart

G44 3DN

With reference to your application registered on 7 April 2023 for Planning Consent for the following development:-

PROPOSAL

Erection of single storey dwellinghouse and associated works.

LOCATION

Site On Eastern Boundary Of No 2 Johnshill, East End, Lochwinnoch,

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 September 2023

Signature

Appointed Officer

on behalf of Renfrewshire Council

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposal does not fully accord with the provisions of the Development Plan and other material considerations were not considered to carry sufficient weight to justify the grant of planning permission.

Conditions/Reasons

1. That the proposed development is contrary to the provisions of Policy 7 'Historic Assets and Places', of NPF 4 as the proposed development is likely to lead to the loss of woodland, a natural feature which makes a positive contribution to the character of the historic area
2. That the proposed development is contrary to the provisions of Policy 9 'Brownfield land, vacant and derelict land, and empty buildings' of NPF 4 as the application site is considered to have high ecological value as it has been naturalised with woodland and the proposal is likely to lead to the loss of trees, which make a positive contribution to the character of the area.
3. That the proposed development is inappropriate and contrary to the provisions of Policy P1 of the adopted Local Development Plan and the New Development Supplementary Guidance Places Development Criteria given the proximity of the trees to the development the trees health and safety cannot be adequately protected.
4. That the proposed development is contrary to the provisions of Policies ENV2 - Natural Heritage and ENV3 - Built and Cultural Heritage of the adopted Local Development Plan, the New Development Supplementary Guidance Conservation Areas, Trees, Woodland and Forestry and Natural Heritage and the provisions of Historic Scotland's guidance on 'Setting' and 'New Development in Historic Settings as the trees within the application site make a valuable contribution to the setting of 'Auld Simon' and the Lochwinnoch Conservation Area generally and the proposed development is likely to lead to the loss of part of this woodland which would have an adverse impact on the setting of the Category B listed 'Auld Simon' and the setting of the Conservation Area generally and these trees should be safeguarded.
5. That the proposed development is inappropriate and contrary to the provisions of Renfrewshire's Planning and Development Tree Policy 2022 as there is no overriding justification for the construction of the proposed dwellinghouse in proximity to trees and the development is likely to adversely affect the natural development and health of the trees remaining.

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: 23/0179/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd: 7 April 2023
Applicant	Agent	
David and Louise Johnston Flat 0/2 174 Clarkson Road Cathcart G44 3DN	Marcelo Dominguez CHG Architecture Ltd 54 Braehead Lochwinnoch PA12 4AS	
Nature of Proposals Erection of single storey dwellinghouse and associated works.		
Site Site On Eastern Boundary Of No 2 Johnshill, East End, Lochwinnoch		
Description <p>This application seeks planning permission for the erection of a detached one storey dwellinghouse on a wooded site located at the junction of East End and Johnshill within Lochwinnoch Conservation Area. The application site generally slopes downwards from north to south and west to east. There are approximately sixteen mature mixed deciduous trees on the site of varying heights, mostly in good physical condition. There are the remains of a historic stone wall at the site.</p> <p>The proposed dwellinghouse would face onto and would be positioned 1 metre from the boundary with East End and would be positioned centrally within the site. Access would be taken from the north eastern corner of the site, where off street parking for two cars, a turning area and storage for refuse and recycling facilities would be provided. Pedestrian access would be linked to existing footways. The existing railing would be retained on the frontage of the site and a new 1.8-metre-high sandstone wall would be formed set back on either side of the front elevation bounding East End. A further section of this boundary wall would be formed around the north eastern corner of the site. A timber close boarded fence is proposed to the remainder of the boundary.</p> <p>The dwellinghouse would be single storey, have a footprint of approximately 90 square metres, with a traditional style symmetrical frontage and double pitched roof. It would be finished in smooth render with corner quoin blocks and exposed sandstone lintels, jambs, and sills on the front elevation. The front elevation however, would be finished throughout in stone. The roof would be finished in natural slate.</p> <p>The site is bounded to the north by the roadway known as East End and the category B listed St Winnocs Church also known as 'Auld Simon,' to the south and east by an area of ground accommodating several run down wooden lock ups and to the west by a small area of woodland and a dwelling beyond.</p> <p>Tree removal recommended by an arboriculture report accompanying this application has been consented through treeworks application (22/0426/TC) and has been undertaken. The applicant seeks consent to position the proposed dwelling within the centre of the area where the treeworks took place and to retain all the remaining trees within the application site.</p>		

History

Application No: 22/0426/TC

Description: Removal of four trees comprising two sycamore and two ash and pruning of six trees to provide clearance from adjacent road

Status; No objections

Application No: 15/0089/PP

Description: Erection of one and a half storey dwellinghouse

Status; Refused

Application No: 02/0264/PP

Description: Erection of one and a half storey dwellinghouse.

Status; Refused

Policy and Material Considerations

Legislation requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the proposal must be assessed against the following:

Development Plan

National Planning Framework 4

Policy 7 - Historic assets and places

Policy 9 - Brownfield land, vacant and derelict land, and empty buildings.

Adopted Renfrewshire Local Development Plan August 2021

Policy P1 - Renfrewshire's Places

Policy ENV2 – Natural Heritage

Policy ENV 3 - Built and Cultural Heritage

New Development Supplementary Guidance 2019

Delivering the Places Strategy - Places Development Criteria

Delivering the Environment Strategy - Conservation areas; Trees, Woodland, and Forestry;

Natural Heritage

Material considerations

Historic Environment Scotland's Policy Statement 2016 and associated Managing Change in the Historic Environment Guidance Notes on Conservation Areas, Settings, New Development in Historic Settings.

Renfrewshire Planning Development Tree Policy 2022

Publicity

The Council has undertaken neighbour notification in accordance with the requirements of legislation.

A site notice was posted on site on 26 April 2023 for the following reasons:

Development within a Conservation Area

An Advert was placed in the press on 26 April 2023 for the following reasons;

Development within a Conservation Area

Objections/Representation

There have been 15 representations, 2 of which are in support of the application and 13 which offer objection. The issues raised can be summarised as follows:

In support

1. The plans are very much in keeping with the ethos and character of the historic East End of the village, very close to the Auld Simon Church Tower.
2. No objection, provided no trees would be harmed.

Objection

1. There has been no material change in circumstances in relation to the application site since the previous refusals in 2002 and 2015, and no reason for any previous decision to be overturned.
2. The woodland area which forms the application site is a valuable asset to the local flora and fauna. Any housing development on the site would negatively affect the wildlife in this secluded and unspoilt corner.
3. The application site is adjacent to 'Auld Simon', which is an important historical relic and a local focal point that adds charm and history to the village. Removing this woodland and the development proposed would have a negative impact on the visual amenity of this area and alter the ambiance and landscape around this important site.
4. The removal of the significant trees, known as Lochwinnoch Wood, which add to the character of Auld Simon, will undermine the appearance of Auld Simon, and detract from the beauty of this area which is part of the Semple Trail.
5. The needless removal of this local wild space, being replaced by a new housing development, will detract from the overall setting and aesthetic beauty of 'Auld Simon' church ruin and graveyard.
6. The loss of trees would affect the wildlife in the area. Birds and bats are evident in this location. This is part of a wider historical area of trees and important to the network of woodlands in the area for local wildlife. Development of the site would reduce the natural green space within the village.
7. The root system of the existing trees retains water in the surrounding soil for drainage purposes and surrounding properties may be affected by increased runoff with the loss of trees.
8. Development of the site would impact/disturb existing wildlife including crows who roost in the trees every night.
9. Bats which roost in this area use the trees in this wooded site for hunting.
10. The tree survey submitted in support of the application was purchased by the applicant. The independence of this survey is questionable. It is stated that the trees are dead, this is not the

case as the trees are in full bloom.

11. It is not certain that sewage/drainage from the site could be accommodated within the existing network.

12. The proposal would result in unacceptable overlooking, loss of privacy and obstruction of an existing view of the ancient church yard.

13. The proposal would result in overshadowing of surrounding properties.

14. East End is narrow and the development site very tight. This is the main access road for the dwellings on East End including services and bin lorries. Any traffic exiting East End would approach the application site from an almost blind bend. Local traffic manoeuvres and safety would be compromised.

Consultations

Chief Executive's Service (Roads Development) - No objection subject to conditions ensuring construction of appropriate sightlines at the access to the site and provision of an appropriate footway along the site frontage on East End.

Communities and Housing (Environmental Protection Team) – no comments to make on the proposals

WoSAS – No objection subject to a condition requiring archaeological monitoring and the implementation of a watching brief.

Children's Services - Awaiting a consultation response from Children Services in respect of the impact of the proposed development on the education estate. The impact of the development on school places is therefore unclear at this time.

Summary of Main Issues of:

Environmental Statement – n/a

Appropriate Assessment – n/a

Design Statement – n/a

Access Statement – n/a

Planning Statement - Supporting statement provides the history of the site and a critique of the influences which contributed to the design elements of the proposal.

Tree Condition Survey - The report is based on visual inspections and states that the tree stock is unmanaged and consequently some trees are in poor condition and recommend removal of 2 Ash and 2 Sycamore. A number of trees are also recommended for crown reduction as they are overhanging the carriageway. It is acknowledged that trees are mature and over time have been colonised, principally by sycamore trees. Chalara Ash dieback has also colonised the site. The tree removal and crown reduction recommended by the report has been consented through a treeworks application and has been undertaken.

Planning Obligation Summary – n/a

Scottish Ministers Direction – n/a

Assessment

National Planning Framework 4 (NPF4) provides the long-term national spatial strategy for planning in Scotland. It sets out the Scottish Government's current view on delivering sustainable, liveable, and productive places through the application of spatial principles. Policy 7 'Historic Assets and Places' and Policy 9 'Brownfield, vacant and derelict land and empty buildings are relevant to the assessment of this application.

Policy 7 'Historic Assets and Places' seeks to protect and enhance historic and environment assets and places, and to enable positive change as a catalyst for the regeneration of places. It considers that development proposals within conservation areas should ensure that existing natural and built features which contribute to the character of the conservation area and its setting be preserved or enhanced and that these should be preserved in situ wherever possible. This includes the retention of structures, boundary walls, railings, trees, and hedges.

Policy 9 'Brownfield, vacant and derelict land and empty buildings' seeks to encourage, promote, and facilitate the reuse of brownfield, vacant and derelict land, and empty buildings. However, in determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.

Whilst it is recognised that there are the remains of a historic wall at the site, given how well the site has been naturalised over the years and the positive contribution the quality of this woodland makes to the setting of the 'Auld Simon' church, the conservation area, and East End generally the development of the site would not be supported as it is likely to have an adverse impact through the loss of trees. It therefore does not comply with the relevant provisions of NPF4.

The application site is identified in the LDP proposals map under Policy P1 'Renfrewshire's Places'. Policy P1 presumes in favour of a continuance of the built form provided that such developments are compatible with and complementary to existing uses and cause no significant harm in line with the criteria of the New Development Supplementary Guidance (SG). The New Development Supplementary Guidance, Places Development Criteria, sets out a number of criteria which new residential development is required to meet. It considers that proposals require to ensure that the layout, built form, design and materials of all new developments will be of high quality; density will require to be in keeping with the density of surrounding areas; surrounding land uses should not have an adverse effect on the proposed residential development; and existing landscape and ecological features should be retained where they make a positive contribution to the character of the area.

Policy ENV2 'Natural Heritage' is also relevant to the assessment of the application and seeks to ensure that development proposals will consider the potential impacts on natural heritage and should protect, restore degraded habitats, and minimise any adverse impacts on habitats, species, network connectivity or landscape character, in line with the SG. The New Development Supplementary Guidance considers that natural heritage makes an important contribution to the local character, identity and quality of an area and these assets should be protected with opportunities for enhancement. All developments require to follow the principles of the mitigation hierarchy of Avoid, Reduce and Compensate. It further states that trees, woodlands, and forestry should be maintained and where possible enhanced throughout Renfrewshire.

Given the location of the site within Lochwinnoch Conservation Area, Policy ENV 3 also applies. Policy ENV 3 'Built and Cultural Heritage' and the New Development Supplementary Guidance seeks to preserve and enhance the townscape qualities of conservation areas and requires development proposals to demonstrate that they will enhance the visual amenity, individual settings, buildings and open space and historical architectural character of the conservation area. These policies are expanded upon by Historic Scotland's guidance notes on 'Settings' and 'New Development in Historic Settings.' It states that planning authorities must take into account the setting of historic assets when determining planning applications and considers that setting includes the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated. It considers that setting often extends beyond the immediate property boundary of a historic structure into the broader landscape and incorporates a range of factors including visual envelope, incorporating views to, from and across the asset or place. In this regard it is recognised that relatively small changes in the wider landscape may affect its setting and significantly alter its character.

Further to these policies Renfrewshire Planning and Development Tree Policy 2022 must be considered. It requires development to meet BS5837:2012 standards and buildings and structures require to be sited to allow adequate space for a tree's natural development and at the same time reduce future pressure for removal of trees. Buildings and associated infrastructure, including garden ground, should generally be located out with the zone of influence of existing and proposed trees. The zone of influence is generally considered to be the distance from the bottom of a tree that is equal to the mature height of an existing or proposed tree. The default position for structures should be outwith the root protection area of trees to be retained. An incursion into the root protection area will only be considered where there is an acceptable overriding justification for construction within the root protection area and where adequate technical information is submitted to support the technical solution proposed and that the technical solution will prevent damage to the tree. For an overriding justification to be accepted the proposal must be considered to deliver social, economic or environmental benefits that benefit the wider community.

Assessing the proposal against these requirements the following conclusions can be made.

The existing mature woodland which covers the application site is a natural ecological feature which makes a positive contribution to the area, both visually and environmentally contributing to the natural environment, local biodiversity, and habitats. Although the site is not subject of an environmental designation, it is of importance locally and contributes greatly to the setting of the 'Auld Simon' church and the setting of the conservation area of Lochwinnoch generally.

The site is occupied by a variety of mature trees which contribute to the wooded character of the rising ground to the east end of High Street and the setting of 'Auld Simon.' It is acknowledged that four mature trees have recently been removed from the site due to condition and disease, however this does not significantly change the visual or ecological contribution that this site makes to the area. It is considered that the site in its current form with the recent tree removal forms an important part of the character of the conservation area and that of the setting of Auld Simon and that it would be difficult to develop the site in a way which would not have an adverse impact on the amenity, ecology or long term health of the remaining woodland such that it would make an appropriate housing site.

In this regard, the site is small extending to approximately 0.06 hectares, is of awkward shape and remains wooded. The dwelling proposed would be located centrally within the site in an area where four diseased trees have been removed but where other mature trees remain.

Approximately eight mature Sycamore, Lime, and Common Beech trees in fair to good condition of heights between 18 to 21 metres, and crown spreads mostly over 4 metres remain in close proximity to the development and as such are likely to be seriously compromised. A structural report has been provided advising that the foundations for the development can be formed in a manner that protects tree root systems. However, given the proximity of these trees to the proposed dwelling, the development of the site is extremely challenging and the long term health of the trees likely to be adversely affected. Plans provided also do not show the ground level differences through the site. In terms of the Council's Tree Policy no overriding justification has been provided for this development to be constructed in such proximity and inadequate space has been provided to allow for the natural development of the existing trees without impinging on the proposed dwelling. It is also considered that the size of the trees and their closeness to the proposed dwelling could potentially adversely affect light for any occupants and apply pressure for the further removal of trees.

The dwellinghouse proposed would extend to approximately 90 square metres and an access and off-street parking area for two cars with turning area would be provided in the southeast corner of the site. Roads Development have offered no objection to the proposal provided that an adequate access to the site is created. Whilst it is noted that the site layout would therefore meet Roads requirements it is considered that this layout would impact further on amenity space as the remaining ground available as garden space would be largely wooded.

In terms of design and facing materials the dwellinghouse is of a vernacular style, albeit deeper than traditional dwellings it is referencing. However, it has good quality finishes including stone, wooden windows, and a slated roof which is appropriate for the area.

The matters raised by objectors have, in the main, been dealt with above. In relation to other matters raised I would comment as follows. The tree survey submitted in support of the application has been produced and certified by a qualified tree surgeon and is accepted as a fair assessment of the trees on site. Roads Development have offered no objection to the proposal for reasons of traffic safety. Unacceptable overlooking of adjacent properties to the rear should not occur given the separation distance involved nor should overshadowing.

On balance therefore, taking account of the visual and ecological merits of the site, its sensitive and prominent location within the conservation area and the existing contribution the site makes to the setting of both 'Auld Simon' and Lochwinnoch Conservation Area, it is considered that this proposal would be likely to have a significant adverse impact on the woodland within the site, and therefore the setting and character of 'Auld Simon', East End, and Lochwinnoch Conservation Area.

It is therefore considered that the proposal is unacceptable having regard to NPF4, the adopted Local Development Plan policies, New Development Supplementary Guidance, Historic Scotland's guidance on 'Setting' and 'New Development in Historic Settings and Renfrewshire Planning Development Tree Policy 2022.

Index of Photographs

A site visit was undertaken for this application on 6th July 2023 and photographs were taken.

RECOMMENDATION


Refuse

Reason for Decision

1. The proposal does not fully accord with the provisions of the Development Plan and other material considerations were not considered to carry sufficient weight to justify the grant of planning permission.

Conditions

1. That the proposed development is contrary to the provisions of Policy 7 'Historic Assets and Places', of NPF 4 as the proposed development is likely to lead to the loss of woodland, a natural feature which makes a positive contribution to the character of the historic area
2. That the proposed development is contrary to the provisions of Policy 9 'Brownfield land, vacant and derelict land, and empty buildings' of NPF 4 as the application site is considered to have high ecological value as it has been naturalised with woodland and the proposal is likely to lead to the loss of trees, which make a positive contribution to the character of the area.
3. That the proposed development is inappropriate and contrary to the provisions of Policy P1 of the adopted Local Development Plan and the New Development Supplementary Guidance Places Development Criteria given the proximity of the trees to the development the trees health and safety cannot be adequately protected.
4. That the proposed development is contrary to the provisions of Policies ENV2 – Natural Heritage and ENV3 – Built and Cultural Heritage of the adopted Local Development Plan, the New Development Supplementary Guidance Conservation Areas, Trees, Woodland and Forestry and Natural Heritage and the provisions of Historic Scotland's guidance on 'Setting' and 'New Development in Historic Settings as the trees within the application site make a valuable contribution to the setting of 'Auld Simon' and the Lochwinnoch Conservation Area generally and the proposed development is likely to lead to the loss of part of this woodland which would have an adverse impact on the setting of the Category B listed 'Auld Simon' and the setting of the Conservation Area generally and these trees should be safeguarded.
5. That the proposed development is inappropriate and contrary to the provisions of Renfrewshire's Planning and Development Tree Policy 2022 as there is no overriding justification for the construction of the proposed dwellinghouse in proximity to trees and the development is likely to adversely affect the natural development and health of the trees remaining.


Alasdair Morrison
Head of Economy and Development



**Renfrewshire
Council**

Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 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 100624376-001

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)

Single storey, stone cottage set over existing ruins, within a wooded site intending to recreate the historical streetscape and ensure the long term visual and ecological continuity of the site across the road from B listed Auld Simon. The narrow wooded site to the west will remain intact with low iron fence onto East End boundary. New trees of the same species will be planted and maintained to ensure the long term visual and ecological continuity of the site.

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) *

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:	CHG Architecture Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Marcelo	Building Name:	
Last Name: *	Dominguez	Building Number:	54
Telephone Number: *		Address 1 (Street): *	Braehead
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Lochwinnoch
Fax Number:		Country: *	United Kingdom
		Postcode: *	PA12 4AS
Email Address: *			
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:	
First Name: *	David	Building Number:	0
Last Name: *	Johnston	Address 1 (Street): *	East End
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Lochwinnoch
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA12 4EP
Fax Number:			
Email Address: *			

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

Wooded site across the road from Auld Simon

Northing

659086

Easting

235594

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)

Due to a major change on the site conditions following previous objections in 2015, we met planning officer James Weir on site. After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favorably.

Title:

Mr

Other title:

First Name:

James

Last Name:

Weir

Correspondence Reference
Number:

Email from James Weir

Date (dd/mm/yyyy):

13/03/2023

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:

560.00

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)

Woodlands with remains of dilapidated stone dwelling.

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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

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.

<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<h2 style="margin: 0;">Assessment of Flood Risk</h2> <p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>
<h2 style="margin: 0;">Trees</h2> <p>Are there any trees on or adjacent to the application site? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">Waste Storage and Collection</h2> <p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes or No, please provide further details: * (Max 500 characters)</p> <div style="border: 1px solid black; padding: 5px; min-height: 50px;"> Bin store area noted in drawing number 2301A-01 and 2301A-02 </div>
<h2 style="margin: 0;">Residential Units Including Conversion</h2> <p>Does your proposal include new or additional houses and/or flats? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>How many units do you propose in total? * 1</p> <p>Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.</p>
<h2 style="margin: 0;">All Types of Non Housing Development – Proposed New Floorspace</h2> <p>Does your proposal alter or create non-residential floorspace? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<h2 style="margin: 0;">Schedule 3 Development</h2> <p>Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>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.</p> <p>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.</p>

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: Marcelo Dominguez

On behalf of: Mr David Johnston

Date: 06/04/2023

☒ 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. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☒ Yes ☐ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ 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 Marcelo Dominguez

Declaration Date: 06/04/2023

Payment Details

Pay Direct

Created: 06/04/2023 14:57

Tree Condition Survey

**Land adjacent to the Old Simon Kirk, Johnshill
East end, Lochwinnoch**

14th June 2022



Prepared for
Mr & Mrs Johnston

Prepared by
C. A. Calvey, P.T.I., Tech.Cert (Arbor.A), Cert.Arb (RFS), BA Hons.
Principal Arboricultural Consultant
Ayrshire Tree Surgeons Ltd

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Introduction

The arboricultural survey was conducted in May 2022 for a small area of land at East end, Lochwinnoch adjacent to the Old Simon Kirk, Johnshill (PA12 4ES). Trees were assessed in accordance with BS 3998:2010 *"Tree work 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. Please refer to Report Limitations on pages 9 -10. 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 a former residential garden originally containing several mature trees and over time has been colonised, principally by sycamore trees. The mature trees and ground cover are heavily cloaked with ivy and roadside trees are substantially overhanging the carriageway. The tree stock is unmanaged and consequently some trees are in a poor condition and recommended for removal. Chalara Ash dieback has also colonised the site.

Planning Considerations

Trees are within the Lochwinnoch Conservation Area and out with the Lochwinnoch Tree Preservation Order. Please refer to the Designations Map Appendix 2, page 12.

<https://ren.maps.arcgis.com/apps/webappviewer/index.html>

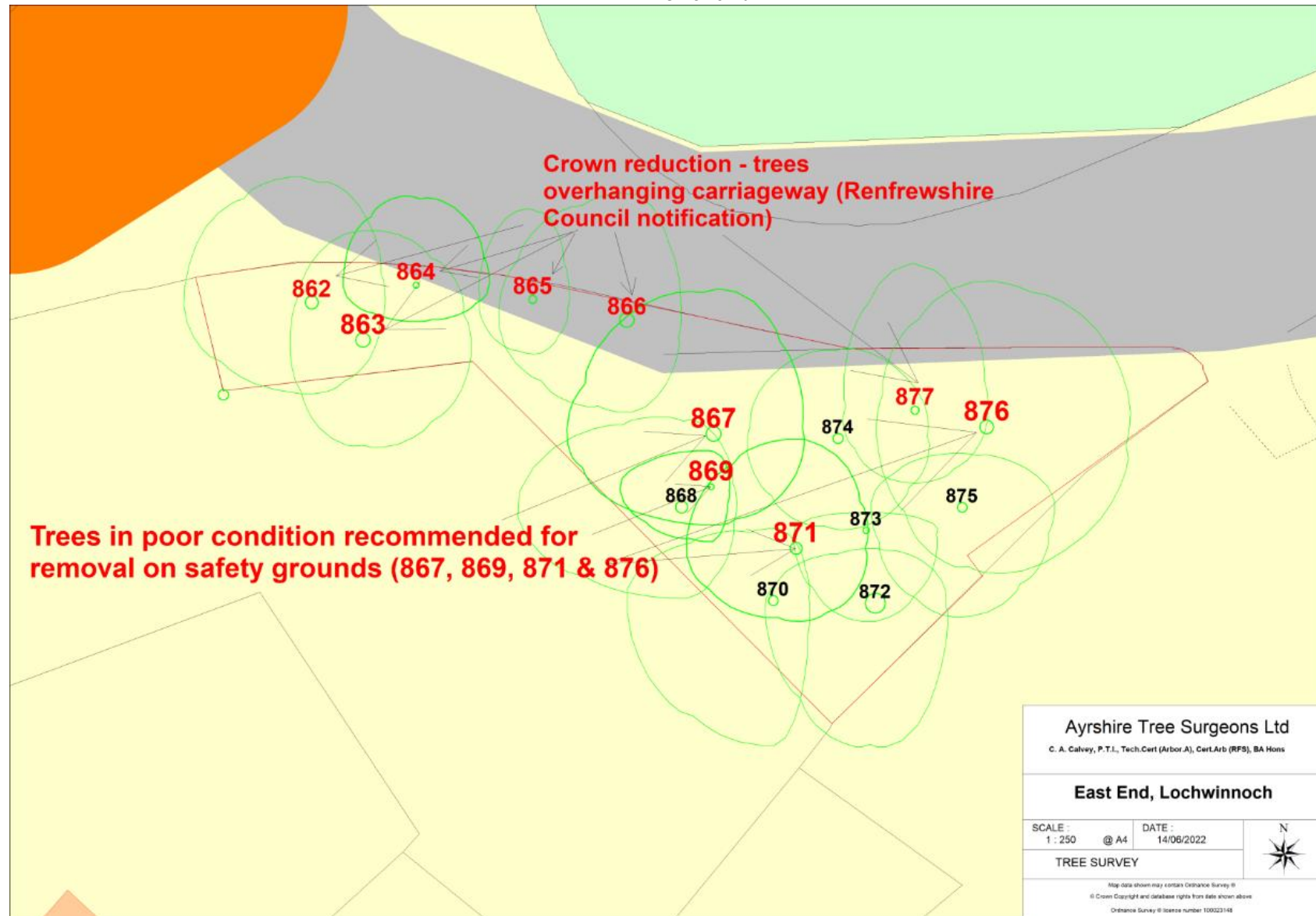
Council Advisory Notice Ref: GS18052022.

Renfrewshire Council has issued a notice under the Roads (Scotland) Act 1984 that overhanging trees are to be cut back to a minimum of 5.5m above the road and at least 1m from the edge of the carriageway.

The report is in accordance with the Council Notice and recommends further tree safety work.

Recommendations

1. Crown reduction to trees overhanging carriageway; 862, 863, 864, 865, 866, and 877.
2. 4 trees are recommended for removal on the basis of poor condition (867, 869, 871 & 876) and should be removed within 2 months.





View from tree 862 towards East End Road



Ash 867 for removal



876 with basal decay for removal



Tree 870



Tree view south from East end road



Tree view west



Tree view south west from East end road



Tree view east- trees overhanging road

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)	Crown Spread N (m)	Spread - E (m)	Spread - S (m)	Spread - W (m)	Life Expectancy	Cond. Class
235570.8 659091.8	862	Common Lime <i>Tilia europaea</i> <i>Co dominant stems at 2m, vertical crack with decay south basal area, raised soil level with boulders obscuring roots.</i>	Mature	17	4	1	720		7	4	5	7	20 to 40 yrs	Fair
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												
235573.6 659089.8	863	Sycamore <i>Acer pseudoplatanus</i>	Mature	18	11	1	810		6	6	6	4	20 to 40 yrs	Good
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												
235576.5 659092.8	864	Common Lime <i>Tilia europaea</i> <i>Epicormic growth and ivy obscures basal area, suppressed canopy</i>	Semi-mature	10	4	1	320		5	4	2	4	10 to 20 yrs	Fair
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												
235582.9 659092	865	Common Lime <i>Tilia europaea</i> <i>Suppressed canopy</i>	Mature	17	5	2	450	220	5	2	3	3	20 to 40 yrs	Fair
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												
235588 659090.9	866	Sycamore <i>Acer pseudoplatanus</i> <i>ivy clad</i>	Mature	17	5	1	810		7	3	5	7	20 to 40 yrs	Good
		<i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>												

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)	Crown Spread N (m)	Spread - E (m)	Spread - S (m)	Spread - W (m)	Life Expectancy	Cond. Class
235592.7 659084.7	867	Common Ash <i>Fraxinus excelsior</i> Large cavity with decay, north basal area. Rookery in crown. Ivy clad. Removal recommended.	Mature	23	11	1	820		8	5	5	8	<10 yrs	Poor
235591 659080.7	868	Common Beech <i>Fagus sylvatica</i> Weak union at 3m, 1m back from fence Ivy clad.	Mature	21	6	1	670		5	3	5	9	20 to 40 yrs	Fair
235592.6 659081.8	869	Common Ash <i>Fraxinus excelsior</i> Large cavity with decay at south basal area, tall and sparse crown with apical die back. Ivy clad. Removal recommended.	Semi-mature	22	19	1	320		2	1	3	5	<10 yrs	Poor
235596 659075.5	870	Common Lime <i>Tilia europaea</i> Suppressed canopy leaning heavily west, cavity at 3m. Ivy clad.	Mature	18	3	2	550	310	4	2	8	8	20 to 40 yrs	Fair
235597.2 659078.4	871	Sycamore <i>Acer pseudoplatanus</i> Large cavity at 3m, healthy canopy with rookery, hammer detected hollow below cavity. Removal recommended.	Mature	23	7	1	670		6	4	4	6	<10 yrs	Poor
235601.6 659075.4	872	Sycamore <i>Acer pseudoplatanus</i> posioned 4m from rear fence, Ivy clad	Mature	24	6	1	1100		3	4	8	6	20 to 40 yrs	Fair

Eastings 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)	Crown Spread N (m)	Spread - E (m)	Spread S (m)	Spread W (m)	Life Expectancy	Cond. Class
235601.1 659079.4	873	Sycamore <i>Acer pseudoplatanus</i> <i>Suppressed, ivy clad.</i>	Semi-mature	22	10	1	340		1	4	5	4	20 to 40 yrs	Fair
235599.5 659084.4	874	Sycamore <i>Acer pseudoplatanus</i> <i>Ivy clad</i>	Mature	23	9	1	560		5	5	5	5	20 to 40 yrs	Fair
235606.3 659080.6	875	Sycamore <i>Acer pseudoplatanus</i> <i>Epicormic growth obscures basal area.</i>	Mature	23	7	1	550		3	5	6	5	20 to 40 yrs	Good
235607.6 659085	876	Sycamore <i>Acer pseudoplatanus</i> <i>Decay north basal area. Rookery in crown.</i> <i>Removal recommended.</i>	Mature	24	5	1	760		8	8	8	6	<10 yrs	Poor
235603.7 659085.9	877	Common Beech <i>Fagus sylvatica</i> <i>Suppressed canopy. positioned 5m from fence.</i> <i>Recommendation: Prune back crown to clear carriageway as per notification of Renfrewshire Council Roads</i>	Semi-mature	18	5	1	450		8	4	4	4	20 to 40 yrs	Good

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 land owner'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 as long as 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.



Christopher Calvey - Ayrshire Tree Surgeons Ltd

Appendix 1: Project Contact Details

David & Louise Johnston
East end, Lochwinnoch
Land adjacent to the Old Simon,
Johnshill.

[REDACTED]
[REDACTED]

Renfrewshire council planning

Development Management Section,
Chief Executive's Service,
Fourth Floor,
Renfrewshire House,
Cotton Street, Paisley, PA1 1WB.

email at dc@renfrewshire.gov.uk

phone on 0300 300 0144

Project Arboriculturist

Christopher Calvey,
Ayrshire Tree Surgeons Ltd
North Hourat Farm,
Kilbirnie, Ayrshire
KA25 7LJ

[REDACTED]
[REDACTED]
[REDACTED]

Appendix 2: Planning Designations (Site in Red)

Layers

- ☐ Listed Buildings
- ☐ Ancient Scheduled Monuments
- ☒ Conservation Areas
- ☒ TPOs (Tree Preservation Orders - Area)
- ☐ Ancient Woodlands Inventory
- ☐ Core Paths
- ☐ Ancient Woodlands Inventory (Semi-Natural)
- ☐ Natural Habitats
- ☐ Local Nature Reserves
- ☐ SINCs (Sites of Importance for Nature Conservation)
- ☐ SSSIs (Sites of Special Scientific Interest)
- ☐ SPA (Special Protection Area)
- ☐ Smoke Control Zones
- ☐ Permitted Development Rights Removed



Appendix 3: References

British Standards Institute. (2012). *Trees in Relation to Design, Demolition and Construction – Recommendations BS5837:2012BSI*, London.

British Standards Institute. (2010). *Recommendations for Tree Work BS 3998:2010 BSI*, London.

Tree Preservation Orders, A Guide to the Law and Good Practice (2005). Department for Communities and Local Government

Lonsdale D. (1999). Research for Amenity Trees No 7: Principles of Tree Hazard Assessment and Management, HMSO, London.

Mattheck & Breloer H. (1994). Research for Amenity Trees No.4: The Body Language of Trees, HMSO, London.

NHBC Standards (2007) Chapter 4.2 'Building Near Trees'. National House-Building Council.

NJUG 4 Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees. Issued 16 November 2007.

STROUTS R.G. & WINTER T.G. (1984), Diagnosis of ill health in trees, HMSO Publications, London

SHIGO A.L. (1991), Modern Arboriculture, Shigo and Trees Associates

Hazards from Trees – A General Guide ISBN 0-85538-514-6

Tree Felling – Getting Permission. Forestry Commission and free to download from their website www.forestry.gov.uk

Trees and the Law ISBN 0-900978-15-5 Published by the Arboricultural Association Tel: 01794 68717

Institute of Chartered Foresters Tel: 0121 225 2705

PLANNING, DESIGN AND ACCESS STATEMENT

PROPOSED ERECTION OF DWELLING HOUSE.

East End, Lochwinnoch,
Renfrewshire.

1. SUMMARY

1.1 This supporting Planning, Design and Access Statement has been prepared on behalf of the client (Mr & Mrs Johnston). It accompanies the planning application for the proposed erection of a single storey dwelling house at East End, Lochwinnoch for use as a family home.

1.2 The applicant lives locally to the application site and as such is fully aware of the aesthetics of the area in around the Auld Simon, hopefully this application conveys the intent to visually maintain and enhance this part of the Village.

1.3 In preparation of this current application and taking cognisance of the previous application No.15/0089/PP refusal, a summary of the new design criteria and the reason to re- apply for planning permission are as follows:

- Change in site conditions due to Council Advisory Notice GS18052022
- Removal of sick trees following an independent Arboricultural Report triggered by Council Advisory Notice. Permission granted with application 22/0426/TC
- Change in design criteria to reduce the cottage in volume making it single storey, under 100 square meters reducing the impact on the site.
- Relocate it to sit in the space created by the felled trees and follow the line of historic existing buildings to recreate the original streetscape and enhance the ambiance and landscape around this important site.
- Cottage materials and design to mirror The Auld Simon boundary walls and building ruins across the road.
- Commission ATK Structural Engineers to produce an Appraisal on Foundation Options to minimise impact on the remaining trees.

2. EXISTING SITE AND SURROUDING AREA

2.1 The application site is situated within Lochwinnoch. The site is located adjacent to Auld Simon on the east side of East End Road at the junction between East End and Johnshill.

2.2 The application site is also within a designated conservation area of Lochwinnoch, running from East End to Knapdale.

2.3 Site has been cleared following council's Advisory Notice Ref: GS18052022 and Independent Arboricultural report attached. Please refer to application 22/0426/TC for proof of permission to remove the trees.

2.4 Properties bordering site: four number timber lock-up garages to the rear (southeast of the site), some dilapidated and poorly maintained. Access to lockups (un-surfaced soft ground generally overgrown) located on the northeast side. Garden ground of flats at No.2 Johnshill to the southwest. The proposed cottage will be orientated due south to avoid overlooking any neighbouring properties.

2.5 The site is fully fenced off, post and wire to the majority of the site, and a railing to approximately 50% of the frontage (bounding East End Road adjacent to the Johnshill). The remaining of a stone wall, belonging to the original buildings on the site is visible along East End. Please refer to historical maps attached and pictures below.

3 DEVELOPMENT USE

3.1 The site is currently un-used fenced off land with mature trees and felled trees following council's Advisory Notice. The ground is fully accessible and cleared.

3.2 The proposal is for the erection of a single storey dwelling house. For use as a family home comprising of lounge, kitchen diner, hall, bathroom and two bedrooms. Approximate floor area of 90sqm.

4 AREAS

4.1 The site (indicated by red line on accompanying plans) is fully owned by the applicant, approximately 560sqm, (0.056ha) in area.

4.2 Proposed development area is 440sqm (comprising of dwelling house, drive way and garden ground) of which the dwelling house footprint of 90sqm (approximately 20% of development area). The remaining land to the west will be maintained by the applicant to ensure the future life of the woodland and protect the character and wildlife of the site.

5 LAYOUT AND ACCESS

5.1 Proposed development comprises of a single storey traditional local vernacular cottage, style to be sympathetic to conservation area, based on the ruins across the road. See picture below.

5.2 It is positioned 1m off the boundary, parallel to East End in line with existing remains of historical buildings. Building will be positioned equidistant between remaining trees (866/874 Sycamore and 868/877 Beech)

5.3 The intension is to re-create the historical streetscape view from Johnshill, with The Auld Simon stone wall and ruins to the left and the low profile, stone, local vernacular cottage to the right. Refer to 3D Visual below and drawing 2301A-08.

5.4 Off street parking for a minimum of two cars with turning area will be provided on the southeast corner of the site, delineated with stone walls along East End and a timber fence to the rear. Access from parking area to rear garden, via a gate with adequate storage for refuse and recycling bins will be provided.

5.5 Pedestrian access/egress onto available footpath and Independent accessible pedestrian ramped access to the side entrance will be provided.

6 LANDSCAPING AND EXTERNAL FINISHES

6.1 To retain the original aesthetics of the area and the tree line running from The Auld Simon grounds, through the proposed development site NO trees will be felled and a designated area of the site to the west (approximately 25% of the overall site) with a number of existing mature trees (tag Nos. 864 to 862 as referred to in the arboreal report) will be maintained by the applicant and similar native species will be planted to enhance and ensure the future of the wooded site, attract wildlife and ensure the site retains the charm and history of this part of the village.

6.3 Boundary / perimeter fencing. The existing railing will be maintained and repaired to the designated area, west frontage. A new sandstone wall bounding East End Road (to the frontage of the house to a height of approx. 1.8 metre to form the new frontage of development. Stone work type will match the Auld Simon's. Timber close boarded fencing will form the remaining garden boundary to the south. Existing post and wire fence to be retained in other areas.

6.4 Garden ground to development (refer to accompanying plans) shows areas of soft landscaping and hard standing areas for vehicle access and paths/patio areas. Hard standing areas to be constructed using porous materials (to reduce surface water run-off) with a heritage style to enhance the period style of the proposed house particularly to the front.

6.5 An independent arboreal report accompanies this application.

6.6 SNH will be consulted to assess the requirement for a bat survey.

7 DESIGN / FINISHES

7.1 Proposed single storey dwelling house, Scottish vernacular style cottage, with a 35 degree roof pitch and conservation style roof lights. No projecting eaves or verges, finished on a traditional manner. Main front elevation features a sandstone finish with corner quoin blocks and exposed sandstone lintels, jambs, and sills.

7.2 Main building back and side elevations will be finished with painted render. With smooth render course to all elevations below finished floor level.

The rear elevation will be painted render and a glass gable into the sitting room facing south.

A single storey utility/entrance porch to the southeast gable is to be white rendered with slate pitched roof.

7.3 Roof covered with slate at a pitch of 35 degrees with traditional cloaked verge.

All rainwater goods will be of a high standard black cast iron effect uPVC half round conservation area range.

7.4 Windows will be vertically proportioned, sash and case style.

All windows to be painted timber, Conservation style roof lights with central vertical bar to front and rear of main roof elevations.

8 CONCLUSIONS

8.1 In preparation of this application the following considerations were made:

- Proposed positioning and orientation of dwelling in line with historical building within the site. Located 1m off the boundary, parallel to East End. The intention is to recreate the historical street scape, looking from Johnshill, with the Auld Simon stone wall and derelict cottage remains on the left and a low profile stone wall and cottage on the right to reinstate the historical build pattern.
- Style of dwelling single storey, 90m2 footprint, small symmetrical frontage with traditional, local vernacular style finishes and materials, to match the original building on the site and derelict cottage directly across the road.
- Building will be set equidistant between remaining trees (866/874 Sycamore and 868/877 Beech)
- No trees on the site will be touched to retain the character of the Lochwinnoch wood and The Auld Simon.
- A structural engineer's Appraisal on Foundation Options was produced by ATK Partnership, to minimise disruption to tree roots. Protection and maintenance of existing trees will be a priority.
- Retention of a designated planting area of mature trees to the west, adjacent to the Johnshill (approximately 25% of site). The narrow wooded site to the west is to remain intact with low iron fence onto East End boundary. New trees of the same species will be planted and maintained to ensure the long term visual and ecological continuity of the site.
- Exposed sandstone is proposed for the front elevations and sandstone boundary wall approx. 8m in length either side of the cottage on East End edge.
- The roof will be 35 degree pitch, slate, with a zinc ridge, no projecting eaves or verges overhung in line with the vernacular of local cottages of similar age to the Auld Simon in the village. See pictures below.
- Rooflights will be conservation area type.
- All rainwater goods will be of a high standard conservation area range.
- Windows will be vertically proportioned, sash and case style.

9 APPENDICES

9.1 Existing site photographs.

9.2 3D graphics of existing site and proposed development.

9.3 Photograph's of a similar style local vernacular cottage in the village.

9.4 Arboreal report.

9.5 Structural Engineer Report



SITE AS EXISTING



FELLED DISEASED TREES



PROPOSED VIEW FROM JOHNSHILL



PROPOSED DEVELOPMENT



GOLF COURSE COTTAGE



MAIN STREET COTTAGE



EXISTING SITE FROM RUINS ACROSS THE ROAD



RUINS ACROSS THE ROAD

Historic Maps Showing Buildings on the Site



1897



1856

A.T.K. PARTNERSHIP
CIVIL & STRUCTURAL ENGINEERING
CONSULTANTS

**STRUCTURAL APPRAISAL ON
FOUNDATION OPTIONS**

PROJECT : PROPOSED HOUSE at EAST END, LOCHWINNOCH

CLIENT : Mr D JOHNSTON

PROJECT REF NO : 16781

DATE : DECEMBER 2022

33 UNION STREET
GREENOCK
PA16 8DN

Email



1.0 Introduction

1.1 ATK Partnership were invited to review the options available to form the foundations for the proposed house with particular attention being paid to the close proximity to the existing trees.

2.0 Scope of the report

2.1 The scope of the following report was to investigate the various foundations readily available and to advise on the best solution. A site inspection was carried out on the 8th December 2022.

2.2 The investigation comprised a visual non-disruptive inspection of the site and no trial pits or boreholes were carried out.

2.3 A topographical survey was made available along with a tree condition report prepared by Ayrshire Tree Surgeons.

2.4 Photographs are also included which help to identify the density of the present growth on site.

3.0 Observations

3.1 The site comprises a long almost rectangular shaped site with a broader triangular shaped section to the rear. It lies opposite the church known as Auld Simon and at the junction of Johnshill and East End.

3.2 The proposed house will be detached, probably a one and a half storey built in timber frame construction and located as shown on the attached plan.

3.3 The main trees which will be closely affected are shown on the site plan along with others lying outwith the building area.

3.4 The construction using timber frame will be fairly light around 35kN/m and may have a brick outer cladding but also may have a timber cladding as an alternative.

3.5 The ground floor construction is likely to be a suspended concrete floor with integral insulation to help form the U-values.

3.6 Since the tree survey report some of the badly affected (rotted) trees have been taken down in line with the recommendations of the tree report.

4.0 Foundation options

4.1 Traditional strips

4.2 On the basis that the soil conditions are favourable and ordinary strip foundations are possible these would be expected to be constructed at around 600mm down from the proposed ground.

4.3 However the foundations will be prone to damage by the remaining roots of the trees and in line with guidance by the NHBC consideration must be given to the use

of trench fill concrete to take the excavations below the level of anticipated damage. Along with the use of trench fill it would be sensible to use a root barrier system to help prevent damage to the founds.

4.4 The excavations for the foundations may also do damage to the root infestation locally within the house footprint with any remaining trees also affected by this root loss.

4.5 Raft Slab

4.6 Due to the light loads involved a simple slab raft would also be a suitable option sitting on a cushion of compacted hardcore.

4.7 However due to the preferred detail of having a limited excavation the existing roots will still exist under the raft slab, probably through the hardcore, and may lead to structural damage to the slab in time.

4.8 Piling

4.9 Piling would be solution by excluding the loads being taken down on to the immediate sub-surface soils. Due to the nature of the piles involved the loads would be taken further down into the sub-soils and below the level of the expected root bowl. The perimeter walls and any internal loadbearing lines would be supported on concrete ground beams spanning between the piles.

4.10 The ground floor would be constructed with either a cast in-situ concrete slab supported on a permanent steel sheet formwork such as Holorib or Ribdeck. This would help to support the floor and span across the top of any root system below the footprint of the house. An alternative could be the use of beam and block flooring which is a sectional floor system but again spanning clear between the ground beams.

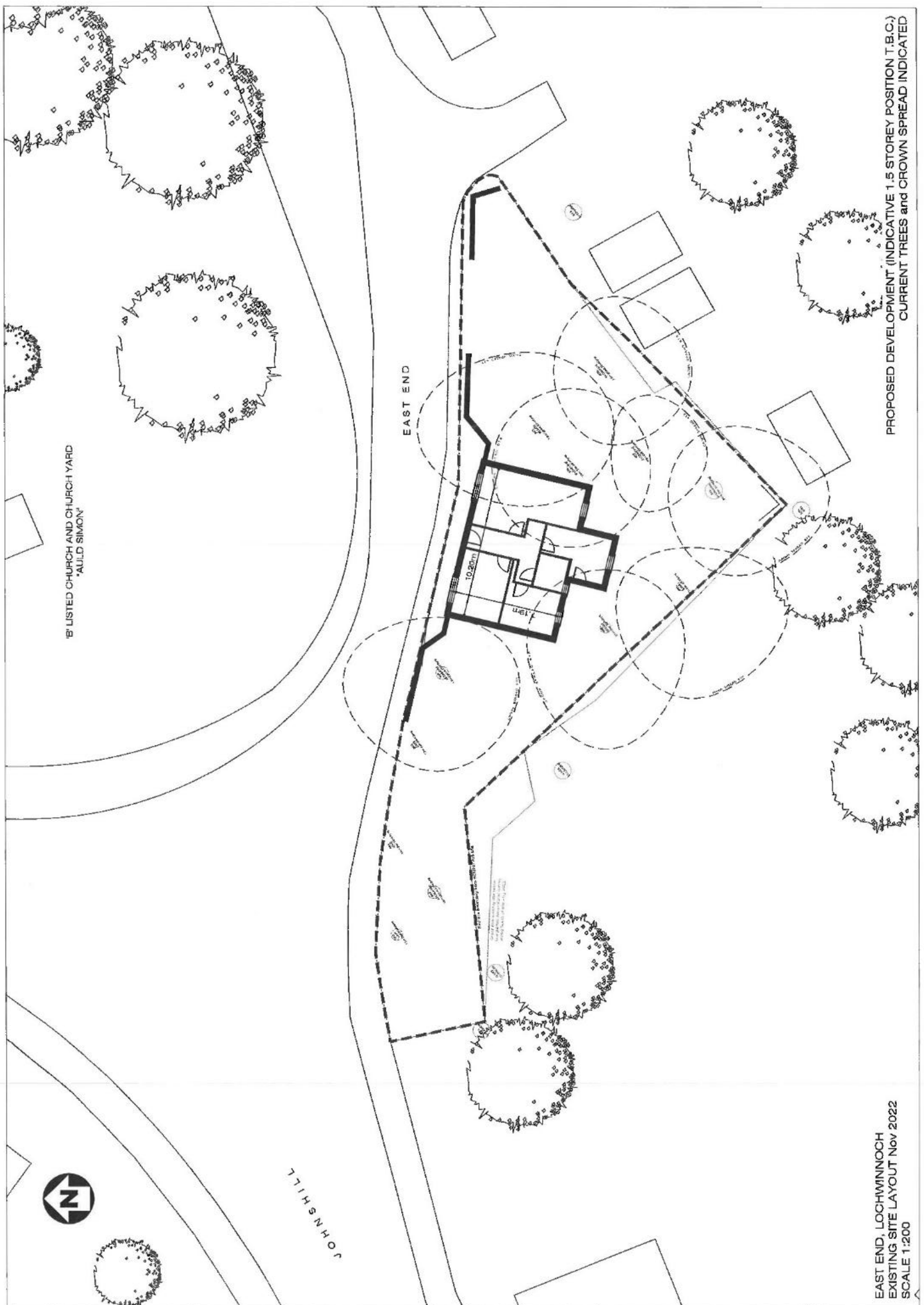
4.11 There are various piling systems available using driven steel tubes or continuous flight auger piles which all do the same job of transferring the loads below the sensitive areas.

5.0 Recommendations

5.1 On the basis of the above options and trying to limit the damage on site we are of the opinion that a system of piling using Shire stabilisers or similar would prove to be the best option. These are small scale piles developed for the domestic market and do not require heavy specialist plant that could damage shallow roots.

5.2 The advantage of using such a system is the small scale nature of the piles which are driven in manually without the need for heavy plant traversing the site. Should tree roots appear within the piling area it should be easy to move the location of the piles to miss these.

5.3 From the information available at this stage we are of the opinion that a suitable footprint of around 10 x 7m should be capable of fitting between the remaining trees. A final design can be agreed in due course.



18 LISTED CHURCH AND CHURCH YARD
"AULD SIMON"

PROPOSED DEVELOPMENT (INDICATIVE 1.5 STOREY POSITION T.B.C.)
CURRENT TREES and CROWN SPREAD INDICATED

EAST END, LOCHWINNOCH
EXISTING SITE LAYOUT Nov 2022
SCALE 1:200



View along East End looking towards Johnshill (Main Street)



View of possible development area with some trees felled in the distance

Tree Condition Survey

**Land adjacent to the Old Simon Kirk, Johnshill
East end, Lochwinnoch**

14th June 2022



Prepared for
Mr & Mrs Johnston

Prepared by
C. A. Calvey, P.T.I., Tech.Cert (Arbor.A), Cert.Arb (RFS), BA Hons.
Principal Arboricultural Consultant
Ayrshire Tree Surgeons Ltd



View from tree 862 towards East End Road



Ash 867 for removal



876 with basal decay for removal



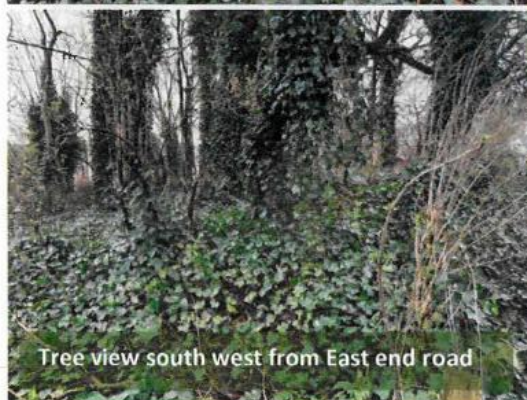
Tree 870



Tree view south from East end road



Tree view west



Tree view south west from East end road



Tree view east- trees overhanging road



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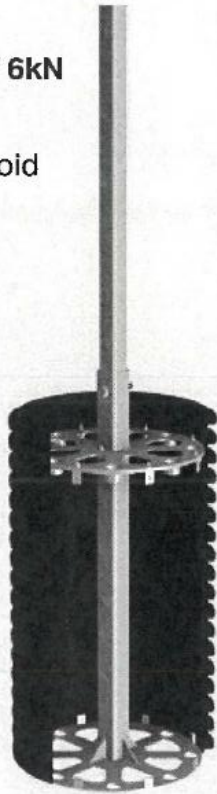
Shire are a team of civil and structural engineers, consultants and designers with the aim of providing a responsive, solution-based approach to Civil & Structural Engineering. Our strong reputation for being "Thinking Engineers" has created demand for our services across a wide variety of sectors.

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- » Spoil is backfilled into the void
- » Reusable and recyclable
- » Designed to loading & ground conditions
- » Installed with hand-held equipment
- » Also available in 1.5m, 2m, 2.5m & 3m ground anchors
- » Height adjustable



ShirePile

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INSTALLED IN 1 HOUR**

- » Fast installation time
- » A solution for all soil types
- » Unique patented design
- » Instant load capacity
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- » No concrete
- » Reusable
- » installed below typical depth of services
- » Designed to loading & ground conditions
- » Installed with lightweight post driver
- » Available with 1.5m, 2m, 2.5m & 3m ground anchors
- » 700mm height



ShireRootBase *S-Range*

**SUPPORTS LOADS UP TO 8 TONNES
INSTALLED IN 15 MINUTES**

- » Tested with vertical forces of **over 8 tonnes**
- » Available in over 10 configurations
- » No concrete
- » Reusable
- » Designed to loading & ground conditions
- » Installed with lightweight post driver
- » Available with 1.5m, 2m, 2.5m & 3m ground anchors
- » Compact size



What our clients think...

The team could not have been more helpful

I am very pleased. Very efficient, sincere & hard working. They explained every step within the works - well done to you all

The work on site was excellent, it was kept so clean & tidy

Applications



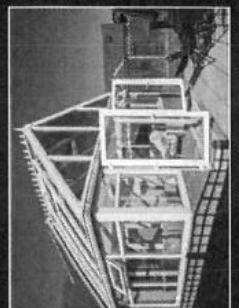
Garden rooms



SIPS panels



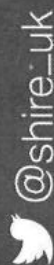
Single storey extensions



Conservatories / Orangeries

About Shire

The QuickBase Foundation System was designed by Structural Engineers at Shire and patented in 2008. Since it's launch, 12 million m2 have been installed across the UK. QuickBase is a multi-award-winning flooring, beam and pile system. A totally unique foundation system for conservatories and single-storey structures, revolutionising conventional construction methods.



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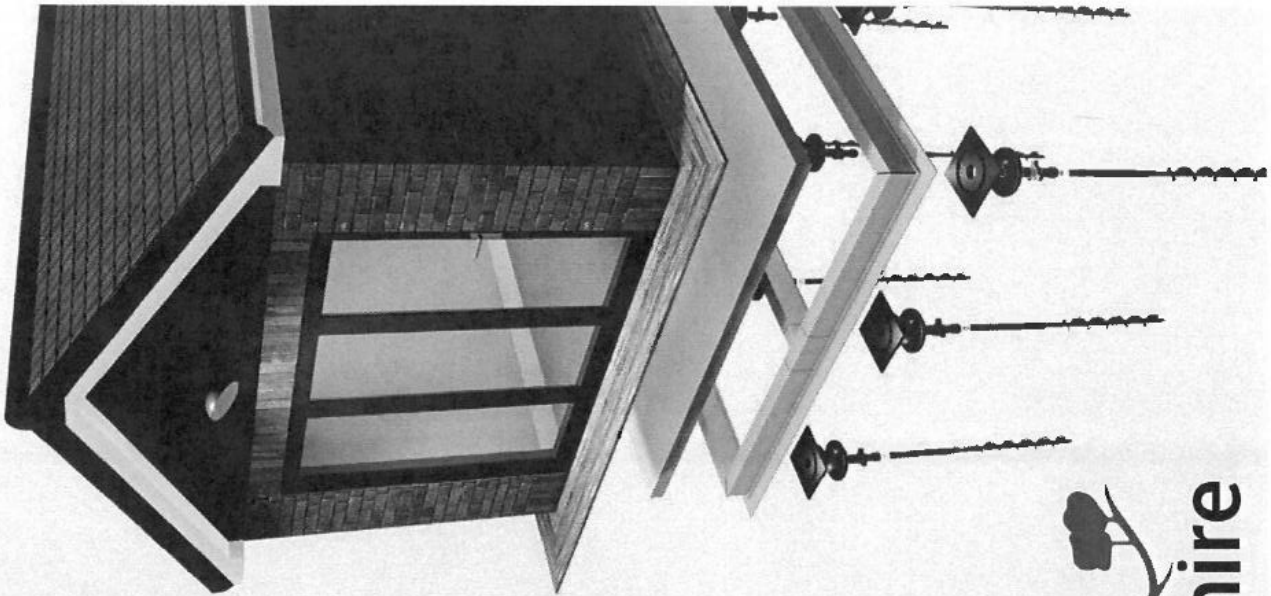
engineers@shire-uk.com

01527 579933



QuickBase Foundation Systems

Foundations to protect your investment



Why?

Protecting your investment - what steps can be put in place to prevent foundation problems occurring?

Below are 4 practical steps to consider:

- Don't accept a 'one size fits all' foundation
- Take reasonable precautions to mitigate against the effects of nearby trees and soft soils
- Choose the right kind of foundation for your building
- Consider access requirements & restrictions. Ask for advice if needed

The foundations are one of the most important parts of your building investment. Often more time is spent considering the type of floor tiles than the foundation type. Foundations are often specified as a standard design 'to be confirmed on site'. This can lead to inappropriate foundations being constructed. It is essential that adequate thought is given to the foundation type and depth before work starts on site.

At Shire we design foundation systems for a wide range of project types. We have developed patented systems like QuickBase giving deep piled foundations that can be taken down to depths below the zone of influence of any tree roots or down to 20m in soft soils to find 'good ground'. QuickBase has also been designed to be installed in areas where parking & access is restricted. Foundations are installed quickly, often leading to cost reductions in the overall schedule.

Where there are unknown ground conditions, our geotechnical team can investigate and give advice on the appropriate solution. For more information, including a detailed guide contact engineers@shire-uk.com

ShirePile >

Supports loads of up to 70kN

ShireQuickBase

About the system

- Designed by Structural Engineers
- Made in the UK
- Unique patented design
- Achieves U-values of 0.02 W/m²K
- Combined floor, beam & pile solution
- Installed on a Shire Pile as standard

The modular system is based on helical screw piles, which support lightweight, part-recycled plastic ground beams connected via a series of push-fit joints to form a frame. The ground beam is then filled with a specially formulated non-shrink grout to give a high strength composite beam. The frame carries the load of the building through the piles to suitable bearing strata, uniquely removing the need for mass concrete foundations. It is then fitted with a premanufactured damp proof floor slab onto which the inner wall of the conservatory or extension is built.

QuickBase is particularly cost effective when working in confined spaces, where soil conditions would usually require deep excavation, where limited parking restricts the ability to remove the spoil associated with deep excavation and where trees are near the built site.

The QuickBase system doesn't require wet trade finishing, so labour costs are cheaper and build time is faster. The foundations can be quickly installed rapidly with up to 15m² installed in a day.

Unlike traditional foundations, QuickBase is ideal for less than perfect ground. The piles are generally driven to 4m depth (deeper if required), guaranteeing suitable load-bearing strata, and avoiding troublesome tree roots.

QuickBase is fully compliant with Building Regulations and designed to meet Local Building Control standards. Our Engineers work in partnership with both Local Authority and Private Building Control to ensure all requirements are met. We also offer technical CPD's to any teams not familiar with the system.

Advantages of the system



Fast installation time
15m² installed in 1 day



No need for mass
concrete foundations



Reduces site excavation work



Minimises spoil to landfill

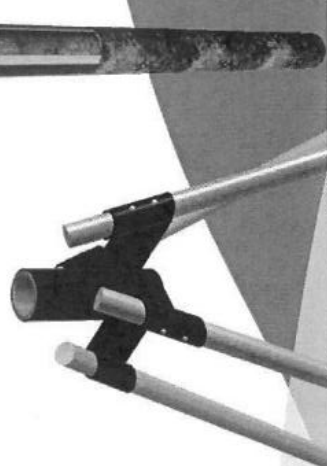
Other piling systems available

ShireClayPile

Anti-heave engineering

ShireRootBase

Installed in 15 minutes



From: DC <dc@renfrewshire.gov.uk>
Sent: 24 Apr 2023 04:38:53
To: dc.bs@renfrewshire.gov.uk
Cc: clare.murray@renfrewshire.gov.uk
Subject: FW: 23/0179/PP
Attachments:

From: BS Regservices <bsregservices@renfrewshire.gov.uk>
Sent: 24 April 2023 15:43
To: DC <dc@renfrewshire.gov.uk>
Subject: 23/0179/PP

Having reviewed the above application, Public Protection have no comments to make on the proposals.

If you require any further information on this reply please contact Calum Keenan Environmental Health Officer on 07432 100 533

From: DC <dc@renfrewshire.gov.uk>
Sent: 26 Apr 2023 11:59:39
To: dc.bs@renfrewshire.gov.uk
Cc:
Subject: FW: consultation reply 23/0179/PP (OFFICIAL)
Attachments:

From: DC <dc@renfrewshire.gov.uk>
Sent: 25 April 2023 08:49
To: DC <dc@renfrewshire.gov.uk>
Cc: Clare Murray <clare.murray@renfrewshire.gov.uk>
Subject: consultation reply 23/0179/PP (OFFICIAL)

From: O'Hare, Martin (NRS) [REDACTED]
Sent: 25 April 2023 08:40
To: DC <dc@renfrewshire.gov.uk>
Subject: Planning Application 23/0179/PP (OFFICIAL)

OFFICIAL

Dear Sir or Madam,

I refer to the above application for the erection of a single-storey house and associated works on a plot of ground on the eastern boundary of 2 Johnshill, Lochwinnoch, which appeared on the most recent weekly list of applications registered with the Council. I have downloaded details of the proposal from the Council's online planning system, and having compared these against information contained in the Historic Environment Record, with available cartographic sources, and with previous planning casework, I would like to make the following comments.

According to our casework log, we provided comments in 2015 in response to a previous application for the erection of a 1.5 storey house on this site (planning reference 15/0089/PP). Although the design of the house proposed 15/0089/PP is different to the current application, as its position within the plot, both would affect the same area of ground, and would as a result raise comparable archaeological issues. I would therefore reiterate the comments made in response to the 2015 application; these were as follows:

The proposed new dwelling would be located within an Archaeological Consultation Trigger (ACT), which in this instance defined in relation to the area of increased archaeological sensitivity associated with the historic core of Lochwinnoch. Little is known about the history of Lochwinnoch before its later development in the 18th/19th century, but it is recorded that the church at Lochwinnoch was a chaplaincy under Paisley Abbey from around 1207 until the Reformation, when it became a parish church. Although the date at which this church was originally founded is not known, the curving shape of the burial ground associated with it is characteristic of early Christian sites, and it has been suggested that the dedication may be to a saint (Winnoc) who dies around 715, again indicating a possible early date. It is likely that a small civil settlement or kirkton would have developed in the vicinity of a church during the medieval period, and this would most likely have been located close to the church and burial ground.

The area proposed for development under the current application is located immediately opposite the entrance to the churchyard, and it is therefore possible that ground disturbance associated with construction of the new house and its associated landscaping may disturb archaeological remains associated with early settlement in the area. This interpretation can be supported through comparison with Roy's Military Survey of Scotland (<https://maps.nls.uk/geo/explore/#zoom=15.0&lat=55.80166&lon=-4.62533&layers=4&b=1>), which was conducted in the period 1747-55. The church is easily identifiable on the Roy map, as is the junction between the High Street, Johnshill and Eastend. Roy clearly shows the presence of structures on the southern side of the junction between High Street and Eastend, indicating that the area affected by the current application was developed prior to the mid 18th century.

When we commented on the 2015 application, it was noted that numerous mature trees were present in the area that would be affected by construction of the proposed new house. The statement provided in support of the current application indicates that a number of these trees have been removed in the interim period, while tree roots are likely to have resulted in some

disruption to any buried archaeological deposits that may be present within the plot, they are unlikely to have entirely removed this material. The plans supplied by the applicant indicate a significant proportion of the ground within the plot would be disturbed should the development go ahead, as the house would be associated with new areas of parking and hard landscaping. The new house would also be position directly on the street frontage, which would be the section of the site with the greatest potential to produce sub-surface archaeological material relating to earlier phases of occupation. As a result, it is likely that any archaeological deposits that may be present relating to the early development of the village would be wholly removed.

Government policy on the treatment of archaeological material under the planning process is that planning authorities should ensure that prospective developers arrange for any archaeological issues raised by their proposals to be adequately addressed. Given the relatively limited scale of the proposal as a whole, I do not consider that it would be necessary to require archaeological intervention in advance of the development. I would therefore recommend the attachment of the following condition to any consent the Council may be minded to grant, which would allow for an appropriate programme of archaeological work to be tied into any development works: this is the same condition as was recommended in our response to application 15/0089/PP.

“The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.”

The attachment of this condition to planning consent would allow for archaeological monitoring of any and all groundbreaking work associated with the proposed development. It would require that a suitably qualified and experienced archaeologist be present to identify, record, and recover any significant archaeological remains exposed during the development works, and would ensure that these were reported to an acceptable standard. It would be implemented by means of the developer appointing an appropriately-qualified professional archaeological contractor to monitor the initial phase of ground preparation work associated with the proposal. This watching brief would need to be maintained on the initial stages of all proposed ground disturbance (i.e., the removal of turf and topsoil from those areas of the plot that would be disturbed by construction activity, including the footprints of the new houses, the parking area and areas of landscaping to the east and south of the house, and any new service connections). Depending on the results of this initial phase of monitoring, it may then be necessary for the archaeological contractor to watch subsequent deeper excavations for foundations and such like. If any sensitive archaeological remains or features were encountered during initial or subsequent ground excavation works associated with the development, they could be adequately excavated and recorded by the archaeologist retained by the developer, before their destruction. This would include any post excavation analyses and publication, if required.

Regards,

Martin O'Hare

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Planning Application No: 23/0179/PP Dated 20 April 2023 Received *

Applicant	Mr David Johnston
Proposed Development	Erection of single storey dwellinghouses and associated works.
Location	Site On Eastern Boundary Of No 2 Johnshill East End Lochwinnoch
Type of Consent	Planning Permission-Full

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 councils published standard requires a 2m wide footway fronting a development site like this one as well as providing connectivity from Johnshill towards the national cycle route via Skippers Lane (on google maps) and to Gates Road. The footway should also provide pedestrian refuge along East End, where there is none or it is presently sub-standard.

It is recognised though that many neighbouring footways vary from this standard. Whilst a divergence could be as low as 1.2m in this case because a high stone wall is proposed the minimum would be 1.5m to allow two adults to pass each other or a double buggy at 1.2m wide along.

Conditions

- Retaining the same width of carriageway, provide a 1.5m footway to the council's adoptable standard along the frontage of site and link Skippers Lane to Johnshill, including relocating lamp posts to the rear of the footway, forming dropped kerbs and amending fences where required. (Note. Separate roads s56 permissions will be needed.)
- Provide sightlines of 2.5x25x1.05m at the driveway (Note - this means the wall will be restricted to 1m over some of its length) and the fence fronting the house should similarly be limited to 1m so children passing on the footway do not collide with those exiting the house

Notes for intimation to Applicant

Director of Communities, Housing & Planning Services: Chief Executive's Service

Renfrewshire House
Cotton Street, Paisley, PA1 1AN
www.renfrewshire.gov.uk

(i) Construction Consent (s21)	
(ii) Road Bond (S17)*	
(iii) Road Openings Permit (s56)*	REQUIRED

Signed Date21/08/23.....
Head of Operations & Infrastructure

From: DC <dc@renfrewshire.gov.uk>
Sent: 26 Apr 2023 11:59:39
To: dc.bs@renfrewshire.gov.uk
Cc:
Subject: FW: consultation reply 23/0179/PP (OFFICIAL)
Attachments:

From: DC <dc@renfrewshire.gov.uk>
Sent: 25 April 2023 08:49
To: DC <dc@renfrewshire.gov.uk>
Cc: Clare Murray <clare.murray@renfrewshire.gov.uk>
Subject: consultation reply 23/0179/PP (OFFICIAL)

From: O'Hare, Martin (NRS) [REDACTED]
Sent: 25 April 2023 08:40
To: DC <dc@renfrewshire.gov.uk>
Subject: Planning Application 23/0179/PP (OFFICIAL)

OFFICIAL

Dear Sir or Madam,

I refer to the above application for the erection of a single-storey house and associated works on a plot of ground on the eastern boundary of 2 Johnshill, Lochwinnoch, which appeared on the most recent weekly list of applications registered with the Council. I have downloaded details of the proposal from the Council's online planning system, and having compared these against information contained in the Historic Environment Record, with available cartographic sources, and with previous planning casework, I would like to make the following comments.

According to our casework log, we provided comments in 2015 in response to a previous application for the erection of a 1.5 storey house on this site (planning reference 15/0089/PP). Although the design of the house proposed 15/0089/PP is different to the current application, as its position within the plot, both would affect the same area of ground, and would as a result raise comparable archaeological issues. I would therefore reiterate the comments made in response to the 2015 application; these were as follows:

The proposed new dwelling would be located within an Archaeological Consultation Trigger (ACT), which in this instance defined in relation to the area of increased archaeological sensitivity associated with the historic core of Lochwinnoch. Little is known about the history of Lochwinnoch before its later development in the 18th/19th century, but it is recorded that the church at Lochwinnoch was a chaplaincy under Paisley Abbey from around 1207 until the Reformation, when it became a parish church. Although the date at which this church was originally founded is not known, the curving shape of the burial ground associated with it is characteristic of early Christian sites, and it has been suggested that the dedication may be to a saint (Winnoc) who dies around 715, again indicating a possible early date. It is likely that a small civil settlement or kirkton would have developed in the vicinity of a church during the medieval period, and this would most likely have been located close to the church and burial ground.

The area proposed for development under the current application is located immediately opposite the entrance to the churchyard, and it is therefore possible that ground disturbance associated with construction of the new house and its associated landscaping may disturb archaeological remains associated with early settlement in the area. This interpretation can be supported through comparison with Roy's Military Survey of Scotland (<https://maps.nls.uk/geo/explore/#zoom=15.0&lat=55.80166&lon=-4.62533&layers=4&b=1>), which was conducted in the period 1747-55. The church is easily identifiable on the Roy map, as is the junction between the High Street, Johnshill and Eastend. Roy clearly shows the presence of structures on the southern side of the junction between High Street and Eastend, indicating that the area affected by the current application was developed prior to the mid 18th century.

When we commented on the 2015 application, it was noted that numerous mature trees were present in the area that would be affected by construction of the proposed new house. The statement provided in support of the current application indicates that a number of these trees have been removed in the interim period, while tree roots are likely to have resulted in some

disruption to any buried archaeological deposits that may be present within the plot, they are unlikely to have entirely removed this material. The plans supplied by the applicant indicate a significant proportion of the ground within the plot would be disturbed should the development go ahead, as the house would be associated with new areas of parking and hard landscaping. The new house would also be position directly on the street frontage, which would be the section of the site with the greatest potential to produce sub-surface archaeological material relating to earlier phases of occupation. As a result, it is likely that any archaeological deposits that may be present relating to the early development of the village would be wholly removed.

Government policy on the treatment of archaeological material under the planning process is that planning authorities should ensure that prospective developers arrange for any archaeological issues raised by their proposals to be adequately addressed. Given the relatively limited scale of the proposal as a whole, I do not consider that it would be necessary to require archaeological intervention in advance of the development. I would therefore recommend the attachment of the following condition to any consent the Council may be minded to grant, which would allow for an appropriate programme of archaeological work to be tied into any development works: this is the same condition as was recommended in our response to application 15/0089/PP.

“The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.”

The attachment of this condition to planning consent would allow for archaeological monitoring of any and all groundbreaking work associated with the proposed development. It would require that a suitably qualified and experienced archaeologist be present to identify, record, and recover any significant archaeological remains exposed during the development works, and would ensure that these were reported to an acceptable standard. It would be implemented by means of the developer appointing an appropriately-qualified professional archaeological contractor to monitor the initial phase of ground preparation work associated with the proposal. This watching brief would need to be maintained on the initial stages of all proposed ground disturbance (i.e., the removal of turf and topsoil from those areas of the plot that would be disturbed by construction activity, including the footprints of the new houses, the parking area and areas of landscaping to the east and south of the house, and any new service connections). Depending on the results of this initial phase of monitoring, it may then be necessary for the archaeological contractor to watch subsequent deeper excavations for foundations and such like. If any sensitive archaeological remains or features were encountered during initial or subsequent ground excavation works associated with the development, they could be adequately excavated and recorded by the archaeologist retained by the developer, before their destruction. This would include any post excavation analyses and publication, if required.

Regards,

Martin O'Hare

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From: DC <dc@renfrewshire.gov.uk>
Sent: 28 Apr 2023 03:49:24
To: dc.bs@renfrewshire.gov.uk
Cc:
Subject: FW: Notice of planning application:23/0179/PP OBJECTION
Attachments:

-----Original Message----- From: DC Sent: 26 April 2023 17:56 To: DC Subject: FW: Notice of planning application:23/0179/PP OBJECTION -----Original Message----- From: Chantal Sharples Sent: 26 April 2023 17:02 To: DC Subject: Notice of planning application:23/0179/PP To whom this may concern, Iâ€™m contacting you concerning the planning application across from St Johnâ€™s Kirk in Lochwinnoch, which I am appealing against. Lochwinnoch is a very small village mostly consisting of historical buildings at its core. Especially the corner of the old church is a historically important area of the village. Here, we have St Johnâ€™s Kirk, which was originally built in 1808. Right across, there is the oldest house of our village and further down east end we have impressive original houses. Main Street consists of a mix of Georgian and Victorian style houses and St Winnoc Road hosts Victorian style cottages and a tenement house. The value of this area will significantly decrease by yet another eyesore modern building being allowed to be placed within the centre of the historical village. Any new building permissions should only be considered at the outskirts of town to not further tarnish the character of the village. Furthermore, anyone considering living in a modern house may wish to fully relocate to a city such as Glasgow, which may be more appealing to their tastes with its sky rise buildings and modern architecture. Additionally, the trees that stand in the area of question are old tall trees, which are home to a great population of birds. They live in the tree tops and fly above the loch every night. Tearing down the trees will disturb their natural habitat and may lead to a loss in diversity within the village. As a proud host of the bird conservation area, Lochwinnoch can not stand by natural habitat being destroyed despite it being known as being populated by a flock of birds. Kind regards, Chantal & Jack Sharples Owners of 0/1 9 St Winnoc Road, Lochwinnoch

From: DC <dc@renfrewshire.gov.uk>
Sent: 12 Sep 2023 11:19:15
To: dc.bs@renfrewshire.gov.uk
Cc:
Subject: FW: Planning Application 23/0179/PP Eastend, Lochwinnoch
Attachments:

From: DC <dc@renfrewshire.gov.uk>
Sent: 05 September 2023 16:39
To: DC <dc@renfrewshire.gov.uk>
Subject: FW: Planning Application 23/0179/PP Eastend, Lochwinnoch

From: Gwen McCracken <gwen.mccracken@renfrewshire.gov.uk>
Sent: 05 September 2023 16:30
To: DC <dc@renfrewshire.gov.uk>
Cc: Clare Murray <clare.murray@renfrewshire.gov.uk>
Subject: Planning Application 23/0179/PP Eastend, Lochwinnoch

DMS letter of support

From: Andy Doig <cllr.andy.doig@renfrewshire.gov.uk>
Sent: 23 August 2023 19:48
To: David Love <david.love@renfrewshire.gov.uk>
Cc: Elaine Matheson <elaine.matheson@renfrewshire.gov.uk>
Subject: Planning Application 23/0179/PP Eastend, Lochwinnoch

Dear David,

In a personal capacity I wish to support the above planning application. I have seen their plans and believe they are very much in keeping with the ethos and character of the historic East End of the village, very close to the Auld Simon Church Tower.

I urge the Department to approve.

Regards,

Cllr Andy Doig

Sent from [Outlook for Android](#)

From: DC <dc@renfrewshire.gov.uk>
Sent: 25 May 2023 01:45:33
To: dc.bs@renfrewshire.gov.uk
Cc:
Subject: FW: rep 23/0179/PP
Attachments:

From: DC <dc@renfrewshire.gov.uk>
Sent: 22 May 2023 07:38
To: DC <dc@renfrewshire.gov.uk>
Cc: Clare Murray <clare.murray@renfrewshire.gov.uk>
Subject: FW:rep 23/0179/PP

From: David Hutton [REDACTED]
Sent: 20 May 2023 13:25
To: DC <dc@renfrewshire.gov.uk>
Cc: [REDACTED]
[REDACTED] 23/01/79/PP

I object to the planning applications 23/01/79/pp on the following grounds:

1. Building on this site, beside a grade B listed building within the conservation area of the village of Lochwinnoch, is contrary to the Council's Local Plan.

The removal of the significant trees, know as Lochwinnoch Wood, which add to the character of Auld Simon, will undermine the appearance of Auld Simon and detract from the beauty of this area which is part of the Semple Trail.

2. Auld Simon churchyard suffers from excess water and the development would add to drainage problems for the churchyard.

3. The felling of trees would greatly affect the wildlife. trees have been felled by the applicant and their arboreal report has not been made available or verified by the council which states that the trees are dead. They appeared to be in good health when felled apart from one tree. Birds and bats are evident in this area. A survey for European Protected Species should be carried out as a legal obligation. This has not happened or been paid for by the applicant.

Given evidence of bats feeding in the corridor of trees at Auld Simon's Churchyard and the trees in the proposed development site, Scottish Natural Heritage should also be consulted. Having walked beside the development site last night there is a healthy bat presence as well as many nesting Rooks, Jackdaws and other birds. The wildlife in the development also flourishes in the flora and fauna present on site.

4. The tree survey was purchased by the applicant. I question the independence of this survey. And request that an independent survey should be carried out. I also would question that if the trees were in such poor state as the applicants Arboreal Report 9.1 suggests that the owner of the site should have been looking after them on an ongoing basis. Has the owner's failure to maintain the trees been in their interest given that they have now produced a report that supports removal of the trees from the site? Which now assists them in locating the proposed development in the space.

5. The 3D views in the Planning Design and Access Statement suggest no visual impact on Auld Simon from Johnshill and East End, however in winter there would be significant impact as there would be no foliage .

6. There is a precedent of this developer applying for planning permission. no significant changes have occurred since the last application was denied.

7. The sewage and rain water run off from Johnshill is combined and has been known to flood particularly in St Winnoc Rd and at the entrance to the Park Headquarter's car park {beside a kiddies/ family picnic area}. Further sewage and water run off would add to this issue as the development would need to pump it up to East end to join the Johnshill drains or connect down via the drain at the rear of 11 St Winnoc Rd putting added pressure on the sewage and drainage system, which is definitely a combined run off.

8. In the light of the questionable tree survey and the misrepresentation of a meeting with Council Planners during their previous application ,I am suspicious of how factual the applicant has been in their application.

I would appreciate if you would email me back to confirm that the Council has received my comments prior to the deadline for submission of 24th May 2023.

David C. Hutton

12 St Winnoc Rd

Lochwinnoch

Eric C. Beattie,

34 High Street

Lochwinnoch

PA12 4AA

Thursday 11th May 2023.

Regarding:

13 St Winnoc Road

Lochwinnoch

PA12 4ET

Planning Application: 23 /01/79/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

Dear Sir / Madam,

With regard to the above property please note I wish to formally object to the above noted Planning Application on the grounds noted below.

There has been no material change of circumstances in relation to the application since the last email / objection my neighbour submitted, therefore I can see no reason for the previous decision to be overturned.

This being the case of no material change in relation to the previous application, I would ask then that any previous objections to this application are also included in this present list of objections.

There is precedent in this matter, where the 1200 objections to the previous application by Stuart Milne Homes, (No. 1907/66/PP, No Date), regarding the Practice field at Burnfoot Road, Lochwinnoch, where there is also no material change in the circumstances regarding their present application, (No. 17/0629/NO, 29/08/2017), and where the previous 1200 objections have been included with the present list of objections by your department in the most recent application by this housing developer.

I consider the wooded area in question as a valuable asset to local flora and fauna.

There are wild plants such as bluebells and snowdrops in this fenced off area, along with a significant number of mature trees, which every year provide nesting and nursery habitat for numerous bird

life. Any housing development on this site would negatively affect the wildlife in this secluded and unspoilt corner, and I believe it near impossible to build on this site without harming the flora and fauna that reside there. The applicant's arboreal report (commissioned by them) has not been verified by the council which states that the trees are dead. This is not the case as the trees are all in full bloom.

In the attic of a house in Johnshill there is colony of bats, and these bats use the trees as an area to hunt in.

This area of trees is also home to a number of Rookeries, where the local Ex-Manager of the RSPB Site at Castle Semple has noticed a decline in the in number of bird nesting sites within the boundaries of the Lochwinnoch area over the last few years, which enhance the rural aspects of our village in Lochwinnoch, the last true village in South Renfrewshire, which is still surrounded by large areas of countryside.

I think the needless removal of this local wild space, being replaced by a new housing development, will detract from the overall setting and aesthetic beauty of the "old Simon" church ruin and graveyard. Old Simon is a local focal point that adds charm and history to our village, removing this wooded area, adjacent to Old Simon, will have a negative impact on the look of this part of Lochwinnoch. The archaeology of the site should also be fully investigated as there are building remains in this area which may part of Old Simon.

There has recently been significant private housing development within the village of Lochwinnoch, with no apparent increase of local amenities to supplement any of this development. Many of these properties are of similar specification to this proposed new build. Currently many of these properties remain for sale for long periods of time. Why build another one???. The council would be better engaged in improving the local road network, public transport connections and sewage treatment facilities, than encourage further unrequired housing development.

I also object to the fact that this proposed new dwelling will be sited on an elevated position to the rear of my property, which I feel will incur on my personal privacy. I don't want my picturesque rural view to the rear of my property removed and replaced by an "unrequired" new build property.

Further grounds for my objection include;

The root system of the existing trees retains water in the surrounding soil for drainage purposes, where our property, and other properties may be adversely affected by the increased water run off with the loss of these trees.

The drainage pipe for sewage runs under a neighbouring property at 11 St Winnoc Road, where it has not yet been confirmed where the sewage from this site will be safely removed using the existing sewage system, so either my property, and or garden, or other nearby properties and gardens could possibly be affected by both water run-off and a possible escape of raw sewage, if for example; there was a burst pipe or extra effluent caused the drainage system to overload, with the associated smells, adversely affecting the health of elderly residents in close proximity to this application site.

Presently, there are sometimes only a few cars parked in the surround area of Auld Simon, which is often an important starting point for local parades, e.g., Local Gala Day in June, the previous Millennium Walk for Residents of Faith in the village.

If this application was allowed to go ahead, this would increase the congestion of parked and moving vehicles around the oldest monument in Lochwinnoch, especially if family or friends of the applicant are visiting or staying in this proposed property, more especially if young children are in the area for the above-mentioned parades, which the local Gala Day is primarily for in the first place.

I recognise the application has the right to apply for Planning Permission for this area of ground, the same applicant on a second occasion, but if this application is refused, I would hope that your office make clear to Mr. Johnston that any future likely applications are also likely to be refused considering the grounds of refusal, both on the previous application, and on this present one.

I was planning to ask for an extension to the Deadline Objection as some of the Planning Application letters unfortunately only seemed to appear in the relevant addresses at the beginning of May, although we are sure this is due to no fault on the part of the Planning Department.

Having phoned the Planning Department this morning, Thursday 11th of May, and spoke to a member of staff, I now understand that the Planner has extended the deadline for objections to Wednesday 24th of May, 2023, therefore no request for an extension is required.

In the hope that once again this Planning Application will be refused on the grounds noted above, from both myself, and the objections lodged by other residents of Lochwinnoch??

Yours Faithfully,

Regards and Best Wishes.

Eric C. Beattie

Comments for Planning Application 23/0179/PP

Application Summary

Application Number: 23/0179/PP

Address: Site On Eastern Boundary Of No 2 Johnshill East End Lochwinnoch

Proposal: Erection of single storey dwellinghouse and associated works.

Case Officer: Clare Murray

Customer Details

Name: Miss Isobel Barclay

Address: 3 Gates Road, Lochwinnoch PA12 4HF

Comment Details

Commenter Type: Complainant

Stance: Customer objects to the Planning Application

Comment Reasons:

- Overshadowing
- Privacy

Comment: The proposed location for the single story dwelling is in such a position that it will overlook our entire back garden and into our bedroom windows.

The proposed dwelling will also block our view of the ancient church yard.

In addition to this, there are also some very old trees in this area that the local crows roost in every night.

**Mr James Riddell,
13 St Winnoc Road,
Lochwinnoch,
PA12 4ET.**

Thursday 11th May 2023

Planning Application: 23 /01/79/PP.

**Erection of single storey dwellinghouses and associated works,
On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,
By Mr. David Johnston.**

Dear Sir / Madam,

With regard to the above property please note I wish to formally object to the above noted Planning Application on the grounds noted below.

There has been no material change of circumstances in relation to the application since the last email / objection my neighbour submitted, therefore I can see no reason for the previous decision to be overturned.

This being the case of no material change in relation to the previous application, I would ask then that any previous objections to this application are also included in this present list of objections.

There is precedent in this matter, where the 1200 objections to the previous application by Stuart Milne Homes, (No. 1907/66/PP, No Date), regarding the Practice field at Burnfoot Road, Lochwinnoch, where there is also no material change in the circumstances regarding their present application, (No. 17/0629/NO, 29/08/2017), and where the previous 1200 objections have been included with the present list of objections by your department in the most recent application by this housing developer.

I consider the wooded area in question as a valuable asset to local flora and fauna.

There are wild plants such as bluebells and snowdrops in this fenced off area, along with a significant number of mature trees, which every year provide nesting and nursery habitat for numerous bird life. Any housing development on this site would negatively affect the wildlife in this secluded and unspoilt corner, and I believe it near impossible to build on this site without harming the flora and fauna that reside there. The applicant's arboreal report (commissioned by them) has not been verified by the council which states that the trees are dead. This is not the case as the trees are all in full bloom.

In the attic of a house in Johnshill there is colony of bats, and these bats use the trees as an area to hunt in.

This area of trees is also home to a number of Rookeries, where the local Ex-Manager of the RSPB Site at Castle Semple has noticed a decline in the in number of bird nesting sites within the boundaries of the Lochwinnoch area over the last few years, which enhance the rural aspects of our village in Lochwinnoch, the last true village in South Renfrewshire, which is still surrounded by large areas of countryside.

I think the needless removal of this local wild space, being replaced by a new housing development, will detract from the overall setting and aesthetic beauty of the “old Simon” church ruin and graveyard. Old Simon is a local focal point that adds charm and history to our village, removing this wooded area, adjacent to Old Simon, will have a negative impact on the look of this part of Lochwinnoch. The archaeology of the site should also be fully investigated as there are building remains in this area which may part of Old Simon.

There has recently been significant private housing development within the village of Lochwinnoch, with no apparent increase of local amenities to supplement any of this development. Many of these properties are of similar specification to this proposed new build. Currently many of these properties remain for sale for long periods of time. Why build another one???. The council would be better engaged in improving the local road network, public transport connections and sewage treatment facilities, than encourage further unrequired housing development.

I also object to the fact that this proposed new dwelling will be sited on an elevated position to the rear of my property, which I feel will incur on my personal privacy. I don’t want my picturesque rural view to the rear of my property removed and replaced by an “unrequired” new build property.

Further grounds for my objection include;

The root system of the existing trees retains water in the surrounding soil for drainage purposes, where our property, and other properties may be adversely affected by the increased water run off with the loss of these trees.

The drainage pipe for sewage runs under a neighbouring property at 11 St Winnoc Road, where it has not yet been confirmed where the sewage from this site will be safely removed using the existing sewage system, so either my property, and or garden, or other nearby properties and gardens could possibly be affected by both water run-off and a possible escape of raw sewage, if for example; there was a burst pipe or extra effluent caused the drainage system to overload, with the associated smells, adversely affecting the health of elderly residents in close proximity to this application site.

Presently, there are sometimes only a few cars parked in the surround area of Auld Simon, which is often an important starting point for local parades, e.g., Local Gala Day in June, the previous Millennium Walk for Residents of Faith in the village.

If this application was allowed to go ahead, this would increase the congestion of parked and moving vehicles around the oldest monument in Lochwinnoch, especially if family or friends of the applicant are visiting or staying in this proposed property, more especially if young children are in the area for the above-mentioned parades, which the local Gala Day is primarily for in the first place.

I recognise the application has the right to apply for Planning Permission for this area of ground, the same applicant on a second occasion, but if this application is refused, I would hope that your office make clear to Mr. Johnston that any future likely applications are also likely to be refused considering the grounds of refusal, both on the previous application, and on this present one.

I was planning to ask for an extension to the Deadline Objection as some of the Planning Application letters unfortunately only seemed to appear in the relevant addresses at the beginning of May, although we are sure this is due to no fault on the part of the Planning Department.

Having phoned the Planning Department this morning, Thursday 11th of May, and spoke to a member of staff, I now understand that the Planner has extended the deadline for objections to Wednesday 24th of May, 2023, therefore no request for an extension is required.

In the hope that once again this Planning Application will be refused on the grounds noted above, from both myself, and the objections lodged by other residents of Lochwinnoch??

Yours Faithfully,

Regards and Best Wishes.

Eric C. Beattie

Comments for Planning Application 23/0179/PP

Application Summary

Application Number: 23/0179/PP

Address: Site On Eastern Boundary Of No 2 Johnshill East End Lochwinnoch

Proposal: Erection of single storey dwellinghouse and associated works.

Case Officer: Clare Murray

Customer Details

Name: Mrs JANE MILLAR

Address: Stanehyve, 11 St Winnoc Road, Lochwinnoch PA12 4ET

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Residential Amenity

Comment: I wish to lodge my objection to this application until it is clarified where the existing sewer is that any additional sewage and drainage will be joined into.

Name **LORNA TURPIN**
Full Address **5 BRAEHEAD AVENUE, LOCHWINNOCH**
Postcode **PA12 4BE**
Date in May 2023. **15/5/23**

Planning Application: 23 /01/79/PP.

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By Mr. David Johnston.

Dear Sir / Madam,

With regard to the above property please note I wish to formally object to the above noted Planning Application on the grounds noted below.

There has been no material change of circumstances in relation to the application since the last objection my neighbour submitted in 2015, or any other application before that, therefore I can see no reason for any previous decisions to be overturned.

This being the case of no material change in relation to any of the previous applications, I would ask then that any and all previous objections to any applications are also included in this present list of objections.

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There has recently been significant private housing development within the village of Lochwinnoch, with no apparent increase of local amenities to supplement any of this development. Many of these properties are of similar specification to this proposed new build. Currently many of these properties remain for sale for long periods of time. Why build another one???. The council would be better engaged in improving the local road network, public transport connections and sewage treatment facilities, than encourage further unrequired housing development.

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I recognise the candidate has the right to apply for Planning Permission for this area of ground, the same applicant on a third occasion, but if this application is refused, I would hope that your office make clear to Mr. Johnston that any future likely applications are also likely to be refused considering the grounds of refusal, both on the previous applications, and on this present one.

In the hope that once again this Planning Application will be refused on the grounds noted above, from both myself, and the objections lodged by other residents of Lochwinnoch.

Yours Faithfully,

Regards and Best Wishes.



Full Name as Above.

If (you received a Notice of Planning Application and), you wish to object to this Planning Application, if you can please scan into a computer, if you know how to do so, and have a scanner attached to your computer, then if possible please use this preferred council method, for email paper trail purposes.

Re-word as you need to, and please remember to put your name, full address, including post code at the top. The council will not consider your objection if you have not included your name and address on the application. **If there is more than one adult living at your address, you can all object.**

Then email to;

dc@renfrewshire.gov.uk

If you are not able to object with the above method, please post to the following address;

Renfrewshire Council,

Planning Department,

Renfrewshire House,

Cotton Street,

Paisley.

PA1 1WB.

NB: I phoned the Planning Department this morning, at the time of writing out this letter, Thursday morning, 11th of May, the online deadline has been extended to Wednesday 24th of May 2023, therefore there is still time for postal objections to be included on the list of valid objections to this application. If I can give any further help, please feel free to contact me through my email address, at;



Cheers Eric.

Lynn C. Beattie,
34 High Street
Lochwinnoch
PA12 4AA
Thursday 11th May 2023.

Regarding:
13 St Winnoc Road
Lochwinnoch
PA12 4ET

Planning Application: 23 /01/79/PP.
Erection of single storey dwellinghouses and associated works,
On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,
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There has recently been significant private housing development within the village of Lochwinnoch, with no apparent increase of local amenities to supplement any of this development. Many of these properties are of similar specification to this proposed new build. Currently many of these properties remain for sale for long periods of time. Why build another one???. The council would be better engaged in improving the local road network, public transport connections and sewage treatment facilities, than encourage further unrequired housing development.

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In the hope that once again this Planning Application will be refused on the grounds noted above, from both myself, and the objections lodged by other residents of Lochwinnoch??

Yours Faithfully,

Regards and Best Wishes.

Eric C. Beattie

From: DC <dc@renfrewshire.gov.uk>
Sent: 09 May 2023 11:11:10
To: dc.bs@renfrewshire.gov.uk
Cc:
Subject: FW: Objection to Planning Application number 23/0179/PP
Attachments:

From: DC <dc@renfrewshire.gov.uk>
Sent: 09 May 2023 08:56
To: DC <dc@renfrewshire.gov.uk>
Cc: Clare Murray <clare.murray@renfrewshire.gov.uk>
Subject: FW: Objection to Planning Application number 23/0179/PP

From: Maggie Kinloch [REDACTED]
[REDACTED] May 2023 22:59
To: DC <dc@renfrewshire.gov.uk>
Subject: Objection to Planning Application number 23/0179/PP

To whom it may concern:

I register my objection to this planning application.

I am taken aback to note that a third application has been submitted by the same applicant. Surely no means no?

Their previous two applications were rejected and there has been no material change of circumstances in relation to the application., except for the removal of three diseased trees on the plot. These were removed by the applicant, and one cannot help but think that this was with a new application in mind

I can therefore see no reason for the previous decision to be overturned. It is worthy of note that last time round a council delegation of elected members and planning officers actually visited the site and having seen how very close to the heritage village boundary the site is, along with other reasons, they refused the application. That remains a significant reason to refuse the application. Although a new building is currently under construction nearby...which is very surprising...it is further away from this historic little corner

I object on the following grounds:

I consider the wooded area in question as a valuable asset to local flora and fauna. There are wild plants such as bluebells and snowdrops in this fenced off area, along with a significant number of healthy, mature trees, which every year provide significant nesting and nursery habitat for numerous bird life. Any housing development on this site would very negatively affect the wildlife in this secluded and unspoilt corner, and I believe it almost impossible to build on this site without harming the flora and fauna that reside there. The applicant's previous arboreal report (commissioned by them) was not verified by the council and it stated that the trees were dead. This was not the case for all trees, as the trees were all in full bloom. However three were subsequently removed

In the attic of a house in Johnshill there is a colony of bats and these bats use the trees as an area in which to hunt. I believe it would be damaging to this protected species if their hunting ground were removed

I think the needless removal of this local wild space, being replaced by a new housing development, will detract from the overall historic setting and aesthetic beauty of the “old Simon” church ruin and graveyard, which is immediately adjacent. Old Simon is a local focal point that adds charm and history to our village. Removing this wooded area, adjacent to Old Simon, would certainly have a negative impact on the look of this part of Lochwinnoch. The archaeology of the site should also be fully investigated as there are building remains in this area which may be part of Old Simon. Further, the annual gala day procession gathers there and begins its journey from there.

There has recently been significant private housing development within the village of Lochwinnoch, and others in the pipeline, with no apparent increase of local amenities to supplement any of this development. Many of these properties are of similar specification to this proposed new build. Currently many of these properties remain for sale for long periods of time. Why build another one?

I further object to the fact that this proposed new dwelling will be sited on an elevated position at the rear of my property, which will encroach on my personal privacy. The picturesque rural view to the rear of my property ...currently a haven for bats and birds and wildflowers and trees... would be destroyed, so as to allow this building development.

I cannot see why that would be approved, when a decision to refuse has already been made twice. Isn't it time to refuse in perpetuity?

For clarity, I object in the strongest possible terms, on the above grounds

Yours sincerely
Professor Maggie Kinloch FRSE

Sent from my iPad
Sent from [Outlook for iOS](#)

From: DC <dc@renfrewshire.gov.uk>
Sent: 25 May 2023 01:45:28
To: dc.bs@renfrewshire.gov.uk
Cc:
Subject: FW: rep 23/0179/PP
Attachments:

From: DC <dc@renfrewshire.gov.uk>
Sent: 22 May 2023 07:36
To: DC <dc@renfrewshire.gov.uk>
Cc: Clare Murray <clare.murray@renfrewshire.gov.uk>
Subject: rep 23/0179/PP

From: Alison Morrison [REDACTED]
Sent: 21 May 2023 14:33
To: DC <dc@renfrewshire.gov.uk>
Subject: Planning application 23/01/79/PP

Name MARTIN J. ROGERS
Full Address STANLEY COTTAGE, 7 STWINNAC ROAD, LOCHWINNOCH
Postcode PA12 8-8P
Date in May 2023. 15/5/2023

Planning Application: 23 /01/79/PP.

Erection of single storey dwellinghouses and associated works.

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

Dear Sir / Madam,

With regard to the above property please note I wish to formally object to the above noted Planning Application on the grounds noted below.

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There are wild plants such as bluebells and snowdrops in this fenced off area, along with a significant number of mature trees, which every year provide nesting and nursery habitat for numerous bird life. Any housing development on this site would negatively affect the wildlife in this secluded and unspoilt corner, and I believe it near impossible to build on this site without harming the flora and fauna that reside there. The applicant's arboreal report (commissioned by them) has not been verified by the council which states that the trees are dead. This is not the case as the trees are in full bloom.

In the attic of a house in Johnshill there is colony of bats, and these bats use the trees as an area to hunt in.

This area of trees is also home to a number of bookies, where the local Ex-shanager of the SFFB site at Castle Sennel has noticed a decline in the number of bird nesting sites within the boundaries of the Lochmnoch area over the last few years, which enhance the rural aspects of our village in Lochmnoch, the last true village in South Rannochshire, which is still surrounded by large areas of countryside.

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Comments for Planning Application 23/0179/PP

Application Summary

Application Number: 23/0179/PP

Address: Site On Eastern Boundary Of No 2 Johnshill East End Lochwinnoch

Proposal: Erection of single storey dwellinghouse and associated works.

Case Officer: Clare Murray

Customer Details

Name: Morag Mcfadden

Address: Dundonald, Johnshill, Lochwinnoch PA12 4ES

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: The correct option for my comment is unavailable.

I have no objections provided that it is guaranteed none of the trees, which have been depleted with each planning application, will be harmed from leaf to root system.

The trees have supported a variety of wildlife and there is now less opportunity for birds to nest and feed.

Regards

Comments for Planning Application 23/0179/PP

Application Summary

Application Number: 23/0179/PP

Address: Site On Eastern Boundary Of No 2 Johnshill East End Lochwinnoch

Proposal: Erection of single storey dwellinghouse and associated works.

Case Officer: Clare Murray

Customer Details

Name: Mr ROY TAIT

Address: Hollywells, East End, Lochwinnoch PA12 4ER

Comment Details

Commenter Type: Complainant

Stance: Customer objects to the Planning Application

Comment Reasons:

- Traffic Movement/Safety

Comment: CONCERN OVER TRAFFIC ENTERING OR EXITING EASTEND, THE LANE IS NARROW AND THE PROPOSED DEVELOPMENT SITE IS VERY TIGHT, IT IS HARD TO SEE HOW THIS WORK WILL NOT IMPACT ON LOCAL TRAFFIC. THIS IS THE MAIN ACCESS ROAD FOR THE DWELLINGS ON EASTEND, THIS INCLUDES SERVICES AND BIN LORRIES. IN ADDITION TRAFFIC SEEKING TO EXIT EASTEND ONTO THE JOHNSHILL WILL APPROACH THIS SITE FROM AN ALMOST BLIND BEND.

Mrs Sandra Riddell,

13 St Winnoc Road,

Lochwinnoch,

PA12 4ET.

Thursday 11th May 2023

Planning Application: 23 /01/79/PP.

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There are wild plants such as bluebells and snowdrops in this fenced off area, along with a significant number of mature trees, which every year provide nesting and nursery habitat for numerous bird life. Any housing development on this site would negatively affect the wildlife in this secluded and unspoilt corner, and I believe it near impossible to build on this site without harming the flora and fauna that reside there. The applicant's arboreal report (commissioned by them) has not been verified by the council which states that the trees are dead. This is not the case as the trees are all in full bloom.

In the attic of a house in Johnshill there is colony of bats, and these bats use the trees as an area to hunt in.

This area of trees is also home to a number of Rookeries, where the local Ex-Manager of the RSPB Site at Castle Semple has noticed a decline in the in number of bird nesting sites within the boundaries of the Lochwinnoch area over the last few years, which enhance the rural aspects of our village in Lochwinnoch, the last true village in South Renfrewshire, which is still surrounded by large areas of countryside.

I think the needless removal of this local wild space, being replaced by a new housing development, will detract from the overall setting and aesthetic beauty of the “old Simon” church ruin and graveyard. Old Simon is a local focal point that adds charm and history to our village, removing this wooded area, adjacent to Old Simon, will have a negative impact on the look of this part of Lochwinnoch. The archaeology of the site should also be fully investigated as there are building remains in this area which may part of Old Simon.

There has recently been significant private housing development within the village of Lochwinnoch, with no apparent increase of local amenities to supplement any of this development. Many of these properties are of similar specification to this proposed new build. Currently many of these properties remain for sale for long periods of time. Why build another one???. The council would be better engaged in improving the local road network, public transport connections and sewage treatment facilities, than encourage further unrequired housing development.

I also object to the fact that this proposed new dwelling will be sited on an elevated position to the rear of my property, which I feel will incur on my personal privacy. I don’t want my picturesque rural view to the rear of my property removed and replaced by an “unrequired” new build property.

Further grounds for my objection include;

The root system of the existing trees retains water in the surrounding soil for drainage purposes, where our property, and other properties may be adversely affected by the increased water run off with the loss of these trees.

The drainage pipe for sewage runs under a neighbouring property at 11 St Winnoc Road, where it has not yet been confirmed where the sewage from this site will be safely removed using the existing sewage system, so either my property, and or garden, or other nearby properties and gardens could possibly be affected by both water run-off and a possible escape of raw sewage, if for example; there was a burst pipe or extra effluent caused the drainage system to overload, with the associated smells, adversely affecting the health of elderly residents in close proximity to this application site.

Presently, there are sometimes only a few cars parked in the surround area of Auld Simon, which is often an important starting point for local parades, e.g., Local Gala Day in June, the previous Millennium Walk for Residents of Faith in the village.

If this application was allowed to go ahead, this would increase the congestion of parked and moving vehicles around the oldest monument in Lochwinnoch, especially if family or friends of the applicant are visiting or staying in this proposed property, more especially if young children are in the area for the above-mentioned parades, which the local Gala Day is primarily for in the first place.

I recognise the application has the right to apply for Planning Permission for this area of ground, the same applicant on a second occasion, but if this application is refused, I would hope that your office make clear to Mr. Johnston that any future likely applications are also likely to be refused considering the grounds of refusal, both on the previous application, and on this present one.

I was planning to ask for an extension to the Deadline Objection as some of the Planning Application letters unfortunately only seemed to appear in the relevant addresses at the beginning of May, although we are sure this is due to no fault on the part of the Planning Department.

Having phoned the Planning Department this morning, Thursday 11th of May, and spoke to a member of staff, I now understand that the Planner has extended the deadline for objections to Wednesday 24th of May, 2023, therefore no request for an extension is required.

In the hope that once again this Planning Application will be refused on the grounds noted above, from both myself, and the objections lodged by other residents of Lochwinnoch??

Yours Faithfully,

Regards and Best Wishes.

Eric C. Beattie

FURTHER REPRESENTATION

For the Attn of;

Mr Robert Devine

Renfrewshire Council

Renfrewshire House

1 Cotton Street

Paisley.

PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnhill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: ALEX WARD
A1: 6 ST WINNOCH ROAD
A: LOCHWINNOCH
PC: PA12 4ET

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards



15/XII/23

Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

1.P

HEAD OF CORPORATE GOVERNANCE

RENFREWSHIRE COUNCIL

FINANCE AND RESOURCES

RENFREWSHIRE HOUSE

PAISLEY

PA1 1TR.

REGARDING

PLANNING APPLICATION 23/0179/PP

BY MR DAVID JOHNSTONE.

LOCAL REVIEW BOARD

NOTICE OF REVIEW

30TH OF JANUARY 2024.

PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.

FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N ALIX WARD
A 6 ST. WINNOC ROAD
A LOCHWINNOCH
P PA12 4ET

Thursday 14th of December 2023.

(Will all Individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/pp.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/pp.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.
Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.
To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the “full glaring light of day” to the conditions that presently exist on the site of S’s beloved ‘Woodland Garden’.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the ‘interested parties’ wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where “Thy Will Be Done”, Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what **our** intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.
Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.
For the Site of 2 Johnshill, East End, Lochwinnoch.
Appeal / Review of this Planning Application by the Local Review Board, (LRB).
To be heard by the LRB on the 30th of January 2024

FN: ANNISTE HEBURN
A1: 12 ST. WINNOC RD, LOCHWINNOCH
A:
PC: PA12 4ET

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards


Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

HEAD OF CORPORATE GOVERNANCE

RENFREWSHIRE COUNCIL

FINANCE AND RESOURCES

RENFREWSHIRE HOUSE

PAISLEY

PA1 1TR.

REGARDING

PLANNING APPLICATION 23/0179/PP

BY MR DAVID JOHNSTONE.

LOCAL REVIEW BOARD

NOTICE OF REVIEW

30TH OF JANUARY 2024.

PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.

FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

1.P.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N ANNETTE HEPBURN
A 12 ST WINNOC RD, LOCHWINNOCH
A
P PA12 4ET

Thursday 14th of December 2023.

(Will all Individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; ‘the application together with your representations was considered by the Council on the 8th of September’.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.

Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.

To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or In an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what our intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

For the Attn of;

Mr Robert Devine

Renfrewshire Council

Renfrewshire House

1 Cotton Street

Paisley.

PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: BRIAN CALDERWOOD

A1: 15 CALDER DRIVE

A: LOCHWINNOCH

PC: PA12 4AU

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards

Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

BRIAN
CALDERWOOD

HEAD OF CORPORATE GOVERNANCE
RENFREWSHIRE COUNCIL
FINANCE AND RESOURCES
RENFREWSHIRE HOUSE
PAISLEY
PA1 1TR.
REGARDING
PLANNING APPLICATION 23/0179/PP
BY MR DAVID JOHNSTONE.
LOCAL REVIEW BOARD
NOTICE OF REVIEW
30TH OF JANUARY 2024.
PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.
FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N MR BRIAN CALDERWOOD
A 15 CALDER AV
A LOCHWINNOCH
P PA12 4AV

Thursday 14th of December 2023.

(Will all individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance In relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, In Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.

Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.
To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.

2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what **our** intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.
Friday 15th of December 2023.

(OO)
ORIGINAL
OBJECTOR

Planning Application: 23/0179/PP. By Mr David Johnston.
For the Site of 2 Johnshill, East End, Lochwinnoch.
Appeal / Review of this Planning Application by the Local Review Board, (LRB).
To be heard by the LRB on the 30th of January 2024

FN: David L. Hutton
A1: 12 St Winnoch Road
A: Lochwinnoch
PC: PA12 4EG

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willing asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards

Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

For the Attn of;

Mr Robert Devine

Renfrewshire Council

Renfrewshire House

1 Cotton Street

Paisley.

PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN:

DAVID PATTERSON

A1:

1 ST WINNOCH RD

A:

LOCHWINNOCH

PC:

PA12 4ET.

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

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Regards

Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

HEAD OF CORPORATE GOVERNANCE
RENFREWSHIRE COUNCIL
FINANCE AND RESOURCES
RENFREWSHIRE HOUSE
PAISLEY
PA1 1TR.
REGARDING
PLANNING APPLICATION 23/0179/PP
BY MR DAVID JOHNSTONE.
LOCAL REVIEW BOARD
NOTICE OF REVIEW
30TH OF JANUARY 2024.

PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.
FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N MR DAVID PATERSON
A 1ST WINNOCH RD
A
P LOCHWINNOCH, PA12 4ET.

Thursday 14th of December 2023.

(Will all individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.
Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.
To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these trees would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trunks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what **our** intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

EMailed
OBJECTION

For the Attn of;

Mr Robert Devine

Renfrewshire Council

Renfrewshire House

1 Cotton Street

Paisley.

PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: MR ERIC BEATTIE
A1:
A: 34 HIGH ST
PC: LOCHWINNOCH
PA12 4AA

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

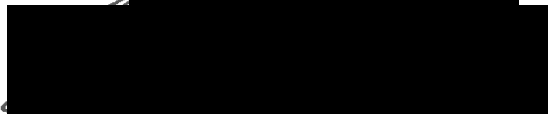
Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards



Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: MRS LYNN BEATTIE
A1: 34 HIGH ST
A: LOCHWINNOCH
PC: PA12 4AA

Dear Mr Devine,

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I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

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Regards

Signature of Objector / Interested Party:

Witnessed by. (If a Witness is available.)

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.

Friday 15th of December 2023.

00.
Emailed
Objection

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: MRS SANDRA RIDDELL
A1: 13 ST WINNOCH RD
A: LOCHWINNOCH
PC: PA12 4ET.

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

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Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards

Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)



For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.

*Emailed
Objection*

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: MRS. JANE MILLAR
A1: 11 ST WINNOC ROAD
A: LOCHWINNOCH.
PC: PA12.4 ET.

Dear Mr Devine,

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Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

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Regards



Signature of Objector / Interested Party.



Witnessed by. (If a Witness is available.)

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: *FIONA CARDWELL / 10 ST WINNOC ROAD*
A1: *PA12 4ET*
A:
PC:

Dear Mr Devine,

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Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

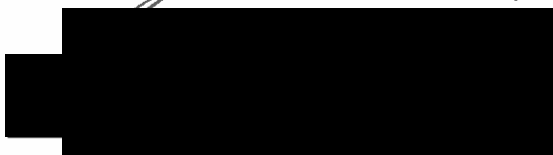
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Regards

Signature of Objector / Interested Party.



Witnessed by. (If a Witness is available.)



HEAD OF CORPORATE GOVERNANCE
RENFREWSHIRE COUNCIL
FINANCE AND RESOURCES
RENFREWSHIRE HOUSE
PAISLEY
PA1 1TR.
REGARDING
PLANNING APPLICATION 23/0179/PP
BY MR DAVID JOHNSTONE.
LOCAL REVIEW BOARD
NOTICE OF REVIEW
30TH OF JANUARY 2024.
PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.
FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N FIONA CARDWELL
A 10 ST WINNOC RD
A
P LOCHWINNOCH, PA12 4AA ET.

Thursday 14th of December 2023.

(Will all individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices. Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.

To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7.

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what our intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

For the Attn of;

Mr Robert Devine

Renfrewshire Council

Renfrewshire House

1 Cotton Street

Paisley.

PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: MR JAMES TAYLOR
A1: 8 ST WINDIE WINNOCH RD
A: LOCHWINNOCH
PC: PA12 4ET

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards

Signature of Interested Party.

Witnessed by. (If a Witness is available.)

HEAD OF CORPORATE GOVERNANCE

RENFREWSHIRE COUNCIL

FINANCE AND RESOURCES

RENFREWSHIRE HOUSE

PAISLEY

PA1 1TR.

REGARDING

PLANNING APPLICATION 23/0179/PP

BY MR DAVID JOHNSTONE.

LOCAL REVIEW BOARD

NOTICE OF REVIEW

30TH OF JANUARY 2024.

PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.

FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Handwritten:
Hwy 1.P.
PA1/20

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N JAMES TAYLOR
A 8 ST. WINNOC RD
A LOCHWINNOCH
P PA12 4ET.

Thursday 14th of December 2023.

(Will all Individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.

Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.
To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what **our** intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

I.P.

For the Attn of;

Mr Robert Devine

Renfrewshire Council

Renfrewshire House

1 Cotton Street

Paisley.

PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN:

SANITARY/BURTON

A1:

A:

8 ST WINNOC RD

PC:

LOCHWINNOCH

PA12 4ET.

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department REFUSED this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards

Signature of Objector / Interested Party.

[Redacted Signature]

Witnessed by. (If a Witness is available.)

[Redacted Witness Signature]

HEAD OF CORPORATE GOVERNANCE
RENFREWSHIRE COUNCIL
FINANCE AND RESOURCES
RENFREWSHIRE HOUSE
PAISLEY

PA1 1TR.

REGARDING
PLANNING APPLICATION 23/0179/PP
BY MR DAVID JOHNSTONE.

LOCAL REVIEW BOARD

NOTICE OF REVIEW

30TH OF JANUARY 2024.

PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.
FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N SAN HALLYBURTON
A 8 ST WINNOCH RD
A
P LOCHWINNOCH, PA12 4ET.
Thursday 14th of December 2023.

(Will all individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance In relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications?? As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it?? If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002, which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices. Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.
Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.

To be honest, personally, I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way, I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations, I'd be happy to meet with you in the New Year and show you the "S's Woods" files I Till then ...

57

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these trees would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??

2. In light of the planning department decision, again for Refusal in 2023.

3. Thereby overturning the present planning department decision.

4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??

5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.

6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."

2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find, as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations In relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what our intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email: [REDACTED]

For the Attn of;

Mr Robert Devine

Renfrewshire Council

Renfrewshire House

1 Cotton Street

Paisley.

PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: LEIGH PATERSON
A1: 1 ST. WINNOC ROAD.
A: LOCHWINNOCH.
PC: PA12 4ET

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

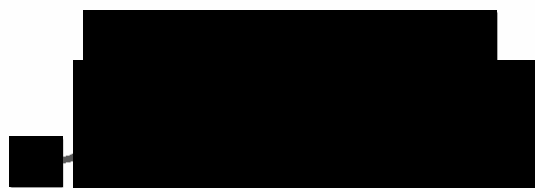
I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards



Signature of Objector / Interested Party.



Witnessed by. (If a Witness is available.)

HEAD OF CORPORATE GOVERNANCE
RENFREWSHIRE COUNCIL
FINANCE AND RESOURCES
RENFREWSHIRE HOUSE
PAISLEY
PA1 1TR.
REGARDING
PLANNING APPLICATION 23/0179/PP
BY MR DAVID JOHNSTONE.
LOCAL REVIEW BOARD
NOTICE OF REVIEW
30TH OF JANUARY 2024.

PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.
FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N MRS LEIGH PATTERSON
A 1 ST WINNOCH RD
A
P LOCHWINNOCH, PA12 4ET.

Thursday 14th of December 2023.

(Will all individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.
Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the “full glaring light of day” to the conditions that presently exist on the site of S’s beloved ‘Woodland Garden’.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the ‘interested parties’ wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where “Thy Will Be Done”, Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what our intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

For the Attn of;

Mr Robert Devine

Renfrewshire Council

Renfrewshire House

1 Cotton Street

Paisley.

PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: MARY CALDERWOOD
A1: 15 CALDER DRIVE
A: LOCHWINNOCH
PC: PA12 4AU

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards

Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

MAY
CAZDERWOOD

HEAD OF CORPORATE GOVERNANCE

RENFREWSHIRE COUNCIL

FINANCE AND RESOURCES

RENFREWSHIRE HOUSE

PAISLEY

PA1 1TR.

REGARDING

PLANNING APPLICATION 23/0179/PP

BY MR DAVID JOHNSTONE.

LOCAL REVIEW BOARD

NOTICE OF REVIEW

30TH OF JANUARY 2024.

PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.

FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N MARY CALDERWOOD.
A 15 Calder Drive
A LOCHWINNOCH
P PA12 1AU.

Thursday 14th of December 2023.

(Will all individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.

Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.

To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.

2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the “full glaring light of day” to the conditions that presently exist on the site of S’s beloved ‘Woodland Garden’.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the ‘interested parties’ wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where “Thy Will Be Done”, Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what our intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.
Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: MRS J Kinning
A1: 16 St Winnock Rd
A: Lochwinnoch
PC:

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

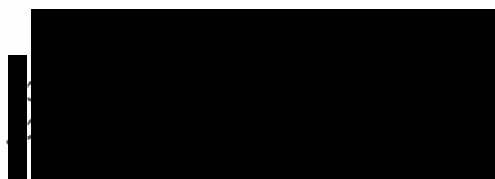
I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards



Signature of Objector / Interested Party.



Witnessed by. (If a Witness is available.)

HEAD OF CORPORATE GOVERNANCE
RENFREWSHIRE COUNCIL
FINANCE AND RESOURCES
RENFREWSHIRE HOUSE
PAISLEY
PA1 1TR.
REGARDING
PLANNING APPLICATION 23/0179/PP
BY MR DAVID JOHNSTONE.
LOCAL REVIEW BOARD
NOTICE OF REVIEW
30TH OF JANUARY 2024.
PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.
FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N MRS SKINNING
A
A 16 ST WINNOCH RD
P LOCHWINNOCH, PA12 4ET
Thursday 14th of December 2023.

(Will all Individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,
On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,
By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.
Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm
on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted
out to individuals, dated 8th September 2023, who objected to this Planning Application, where;
‘the application together with your representations was considered by the Council on the 8th of
September’.

Where the decision of the council was;
REFUSE Consent subject to the reasons.

As noted in the accompanying letter,
Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.

Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.

To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??

2. In light of the planning department decision, again for Refusal in 2023.

3. Thereby overturning the present planning department decision.

4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??

5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.

6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what **our** intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M:

Email:

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.

Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN:

A1:

A:

PC:

MRS PETA DEWAR
4 St Winnoc Rd
Lochwinnoch
Renfrewshire
PA12 4ET

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards



Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N MRS PETA DEWAR
A 4 ST WINNOCH RD
A LOCHWINNOCH, PA12 4ET.
P

Thursday 14th of December 2023.

(Will all individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.
Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.

To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.

2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the “full glaring light of day” to the conditions that presently exist on the site of S’s beloved ‘Woodland Garden’.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the ‘interested parties’ wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where “Thy Will Be Done”, Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what our intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M:

Email:

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N: Eric C. Beattie

A: 34 High Street

A: Lochwinnoch

P: PA12 4AA

Friday 15th of December 2023.

(Will all Individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications?? As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it?? If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.

Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.
To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.
2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the “full glaring light of day” to the conditions that presently exist on the site of S’s beloved ‘Woodland Garden’.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the ‘interested parties’ wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where “Thy Will Be Done”, Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what **our** intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful,** we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were “lucky” that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don’t want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you’re not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I’ll leave it there, as I really think I’ve said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:

[REDACTED]

HEAD OF CORPORATE GOVERNANCE
RENFREWSHIRE COUNCIL
FINANCE AND RESOURCES
RENFREWSHIRE HOUSE
PAISLEY
PA1 1TR.
REGARDING
PLANNING APPLICATION 23/0179/PP
BY MR DAVID JOHNSTONE.
LOCAL REVIEW BOARD
NOTICE OF REVIEW
30TH OF JANUARY 2024.
PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.
FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.
Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.
For the Site of 2 Johnshill, East End, Lochwinnoch.
Appeal / Review of this Planning Application by the Local Review Board, (LRB).
To be heard by the LRB on the 30th of January 2024

FN: SHEILA WARD .
A1: 6 ST WINNOC RD
A: LOCHWINNOCH
PC: PA12 4ET

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards



Signature of Objector / Interested Party.

Witnessed by. (If a Witness is available.)

15/12/23

1.P.

HEAD OF CORPORATE GOVERNANCE

RENFREWSHIRE COUNCIL

FINANCE AND RESOURCES

RENFREWSHIRE HOUSE

PAISLEY

PA1 1TR.

REGARDING

PLANNING APPLICATION 23/0179/PP

BY MR DAVID JOHNSTONE.

LOCAL REVIEW BOARD

NOTICE OF REVIEW

30TH OF JANUARY 2024.

PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.

FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N SHEILA WARD .
A 6 ST WINNOC RD
A LOCHWINNOCH
P PA12 4ET

Thursday 14th of December 2023.

(Will all Individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; 'the application together with your representations was considered by the Council on the 8th of September'.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.

Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.
To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files ! Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path' going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what our intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email: [REDACTED]

For the Attn of;
Mr Robert Devine
Renfrewshire Council
Renfrewshire House
1 Cotton Street
Paisley.
PA1 1WB.
Friday 15th of December 2023.

Planning Application: 23/0179/PP. By Mr David Johnston.

For the Site of 2 Johnshill, East End, Lochwinnoch.

Appeal / Review of this Planning Application by the Local Review Board, (LRB).

To be heard by the LRB on the 30th of January 2024

FN: MR William Johnston
A1: 16 St Winnoch Rd
A: Lochwinnoch
PC: PA12 4ET

Dear Mr Devine,

I am aware that the Renfrewshire Council Planning Department **REFUSED** this Planning Application, as noted above, on the 8th of September 2023.

I am also aware that the applicant, Mr Johnstone appealed this decision for a Notice of Review, which Mr Devine notified Objectors to, on the 1st of December 2023, which included Mr Beattie.

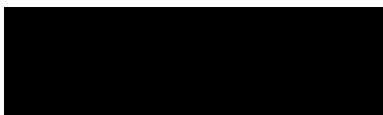
Since the 1st of December I am aware that Mr Eric C. Beattie of 34 High St Lochwinnoch PA12 4AA has regularly been in touch with you by email regarding Further Objections and Representations to this Review / Appeal.

Where he has, for himself and others, as both objectors and Interested Parties, made out the main papers of these Objections / Representations.

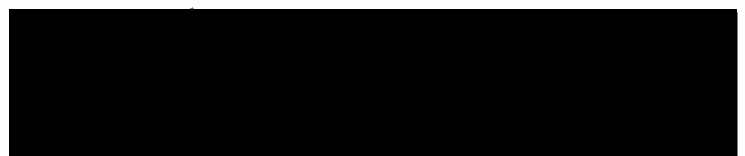
I now ask you to note that I have freely and willingly asked Eric to submit these Representations / Objections to Renfrewshire Council, as either an Original Objector or an Interested Party.

Where I wish the Local Review Body, (LRB) to take note of these Further Objections and Representations into their consideration on the 30th of January 2024, when the LRB Review Panel will consider the appeal by the Applicant, Mr Johnston.

Regards



Signature of Objector / Interested Party.



Witnessed by. (If a Witness is available.)

HEAD OF CORPORATE GOVERNANCE
RENFREWSHIRE COUNCIL
FINANCE AND RESOURCES
RENFREWSHIRE HOUSE
PAISLEY
PA1 1TR.
REGARDING
PLANNING APPLICATION 23/0179/PP
BY MR DAVID JOHNSTONE.
LOCAL REVIEW BOARD
NOTICE OF REVIEW
30TH OF JANUARY 2024.
PAPERS OF FURTHER REPRESENTATIONS AND
OBJECTIONS IN RELATION TO THIS REVIEW.
FROM THE (CONCERNED) RESIDENTS OF
LOCHWINNOCH.

Head of Corporate Governance,
Renfrewshire Council,
Finance and Resources,
Renfrewshire House,
Paisley,
PA1 1TR.

N MR WILLIAM KINNING
A 16 ST WINNOCH RD
A LOCHWINNOCH, PA12 4ET.
P

Thursday 14th of December 2023.

(Will all Individuals please note that the Head of Corporate Governance will ignore your representations/objections if you have not filled in your personal details with your Name and Address, etc, as above).

Planning Application: 23 /0179/PP.

Erection of single storey dwellinghouses and associated works,

On the Eastern Boundary Of No. 2 Johnshill, East End, Lochwinnoch,

By Mr. David Johnston.

For the Head of Corporate Governance in relation to Notice of Review to this Planning Application.

Relating to the meeting of the Local Review Body, (LRB) for this Notice of Review to be held at 2pm on the 30th of January 2024, in Renfrewshire House, Cotton Street, Paisley.

On the grounds of the Letters of Representations – Council Decision, as noted in the letters posted out to individuals, dated 8th September 2023, who objected to this Planning Application, where; ‘the application together with your representations was considered by the Council on the 8th of September’.

Where the decision of the council was;

REFUSE Consent subject to the reasons.

As noted in the accompanying letter,

Ref. 23/0179/PP.

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION.

For the Attention of The Head of Corporate Governance.

Dear Sir / Madam,

List of Contents for this Paper of Representations/Objections

- 1. The Interested Parties Initial statement to the Planning Review Panel.**
- 2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??**
- 3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.**
- 4. Objections and Further Representations to the Original Planning Application.**
- 5. Representations on the Tree Report.**
- 6. Notice of Review Document.**
- 7. Representations to the Planning Appeal Statement.**
- 8. Our Conclusion to the Planning Appeal Statement**
- 9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.**
- 10. Final Conclusion to this Paper of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.**

1. The Interested parties Initial statement to the Planning Review Panel.

Will the Head of Corporate Governance, hereby abbreviated to HCG, please note that we wish to make Representations/Objections in relation to the above Planning Review Appeal by the LRB, as an 'Interested Party'.

Where we hope that the HCG will note these reservations in relation to the Review Panel meeting on the noted date will also take these Representations into their considerations and deliberations when making a judgement on this Notice of Review / Appeal by the Applicants, to the LRB.

Where we wish the HCG to note that we do so in the strongest possible terms regarding this Review, not just on the grounds on which the appeal has been based, but across all possible areas of both the original planning application and the associated review.

In previous applications by Mr and Mrs Johnston, we, as interested parties have asked for all previous objections and representations to be taken into consideration regarding any present application, where historically, as far as we are aware, the Johnstons, have been the only applicants to ever apply for planning permissions for this particular site??

Where very importantly, to support our case as the interested parties, various individuals and groups in Lochwinnoch have shown a consistent pattern of objections to the planning applications by this couple over the last 20+ years.

Where, very obviously we wish the 'Woodland Garden' / Area of Woods at 2 Johnshill, East End, Lochwinnoch, across from / in very close proximity to Auld Simon, as the oldest building in Lochwinnoch, for the woodland to remain in its present state, without any property development by these applicants.

Furthermore, after 20+ years of applications by the Johnstons, we strongly and firmly believe that we have reached an impasse in relation to this situation??

Approximately every several years just over the last 2 decades, the Johnstons have put in an application for planning permission, and we, the objectors and interested parties have responded and objected to these applications for development on this site.

Where Renfrewshire Council staff and elected officials have consistently supported us in our objections to these applications, by also consistently refusing planning permission for this valued and treasured site within our village, where we wish to record our gratitude for these efforts, where we are very grateful to these individuals over the last 20+ years in their continued support.

For if it was not for this continuous support, we would not be here today, where once again we find ourselves having to object and make representations to this Review / Appeal by Mr and Mrs Johnston.

In spite of our opposition to these continuous Planning Applications we therefore acknowledge that this has cost the Johnstons a lot of money, time and effort in pursuing their case, as well as a lot of corresponding time and effort on our part as the objectors.

To say nothing of the time that the planning department and to a lesser extent the time and deliberations that Councillors on the review panel spend on this issue.

So in an effort to resolve this situation to the benefit of all parties concerned, i.e., applicants, objectors, Renfrewshire Council Planning Department, Councillors on the review panel, as well as the HCG, in his considerations on this issue, we would like to set out alternative proposals for the site, which can already probably be guessed at by all concerned??

We will briefly outline these alternative proposals as noted immediately below and elaborate further throughout this Paper of Further Objections and Representations, and towards the end of this paper in our Conclusion.

We acknowledge that this scenario may not be acceptable to Mr and Mrs Johnston in the first instance, as they have held this dream for many years, but as they lived amongst us for many years in our very beautiful village of Lochwinnoch, where they were friendly and friends with, and well known to many of us, where I personally, (Eric) had mutual friends with them.

Where we as the objectors would seriously like to ask them to consider what we propose at some length, as opposed to dismissing our ideas in a knee-jerk type of reaction??

We also recognise that, as stated earlier, that this couple have put a lot of time, effort and expense into their planning applications, but after 20+ years of objections, we would ask them to finally recognise that as a community / the village / Lochwinnoch does not and will not / never accept their proposals for this site.

Whilst some individuals in the village may accept their proposals with their present plans for a property that is visually and aesthetically pleasing in relation to, and the closeness of Auld Simon,

many more people will not, especially neighbours in the surrounding vicinity of the plot, i.e., in Johnshill, East End, St Winnoc Road, Gates Road, and various parts of High Street.

2. Statements, Questions and Representations from the Objectors to the Johnstons regarding this Planning Review / Appeal??

All of the above then leads us to ask the following questions of Mr and Mrs Johnston??

When are you finally going to accept that your planning applications for this site are absolutely not acceptable to many of residents in Lochwinnoch??

Otherwise, why has there been 20 odd years of objections to your proposals, every time you apply??

No matter how nice or pleasing to the human eye your proposed property may look on this occasion, especially in relation to Auld Simon, like previous plans, it is still not in any way acceptable to the majority of our community in Lochwinnoch.

Where this small woodland area, that has been a precious woodland just off the centre of Lochwinnoch, for approximately for the last 165-170 years, should / could / must remain a 'Woodland Garden', enhancing the local environment / surrounding area, to the benefits of the trees, local flora and fauna, wildlife, roosting birds of all kinds and especially rooks.

Without absolutely any property being built upon it.

Where ultimately all of the above, intangibly enhances and enriches the lives of the human beings who live close by this plot, and any other green spaces, both within Lochwinnoch and outside it.

As a rural village in South Renfrewshire, which we feel is the last real village that is separate from other communities, which is not a suburb of Johnstone or Paisley, as the build-up area has extended ever outwards over the years.

Which is very much obviously why Renfrewshire Council has dependably supported our objections over the last 2 decades, as the benefits of green spaces and closeness to nature are very well, and scientifically recognised, in regard to both physical and especially, mental health.

So really, in this part of our Representations, in our own way we are also lodging an appeal, as we are appealing to your better natures, Mr And Mrs Johnston??

To let all this go, for your own benefit and peace of mind, as well as ours as a group of objectors.

And ultimately, for the benefit of Lochwinnoch as a community, which you obviously love, and loved, as you lived here for many years.

Where for you to try and accept that there will always be a group of interested parties / objectors in Lochwinnoch, with hopefully, as noted above, the continuing, ongoing support of Renfrewshire Council, where some concerned individuals, as individuals or in groups will always object to your plans for this site.

Where today it is our group who are objecting / making representations, tomorrow it will be someone else, and another group.

(Personal note from Eric)

(Please do not misunderstand me, as there is absolutely nothing personal in all this, along with many others we just completely disagree with your proposals for the 'Woodland Garden' and have done so for many years).

(Where my / our personal reasons for our representations / objections are completely altruistic, to the benefits of my / our community, where we represent the wishes our community, in my (Eric's) personal case my elderly relatives live in close proximity to Auld Simon / Johnshill / East End, where I have been asked to deal with this on behalf of all my family, as well as my own very strong beliefs in what we are doing).

Ultimately this situation reminds us of the Burnfield Road / Playing field site, with planning applications by Stuart Milne Developers, at the end of Newton of Barr, Lochwinnoch.

Where in this case, the Community Council have mounted a very focused, consistent campaign by this developer, sustained over a number of years, where ironically, this is a shorter time span than the one we have mounted against your own proposals.

Where both developers, regardless of size, both own the prospective sites, but cannot do anything with them, due to the number of representations / objections Renfrewshire Council (RC) have received over the years, from Lochwinnoch residents.

Where the term 'Dead Land' could be used to describe both sites.

Where it seems you are stuck with a possible development site that you can't do anything with??

Hence the nickname of 'dead land'.

To continue with these objections and representations, as noted above, we will further outline our proposals for the site towards the end of this paper.

3. A Recent History of the Site: How we got to where we are, from 1991 to 2023.

In the early 1990's S, who has lived in Lochwinnoch for at least 30+ years wanted to further develop the application site into a 'Woodland Garden', where the site had and still has to the present day has become naturally overgrown, per the applicants' paperwork showing the Ordnance Survey Map of 1856, so over approximately the last 135-140 years in 1990-93, plus another 30 years to the present.

So in total the site has therefore been undisturbed for approximately the last 165-170 years.

The following pages are copied from messages between Ms S and me to show the review panel the 'more recent' history of what has happened over the last 30 odd years regarding this plot of woodland at 2 Johnshill / East End.

I have only altered the text to tidy it up, and have been very careful to preserve the anonymity of Ms S, even although I'm sure the Johnstons know who / remember who this lady is??

Eric

Thanks for getting back to me S.

I'm really just looking for the process that was involved, that you went through, and the time frame /

dates involved.

I didn't realise the lawyers were involved though, I've never really understood why the Johnstons keep on applying to build on the site, but by the sound of it they have legal rights / title to it?? Which explains why they have kept on applying to build on it over the last 20 odd years x 3-4 times. The situation reminds me of Burnfoot Rd then, they own it, but can't use it as locals keep on objecting to their planning applications??

As I recall they supposedly fenced it off, supposedly maintained it for a number of years, and then claimed legal rights to it??

If you fill in some gaps for me re how long ago you were at the lawyers, that would help.

S 1

I laid claim to the land around 1991/92.

My then lawyer did a land search and found no record of ownership, he told me to occupy the land and look after it for 10 years and if it was uncontested, it would be mine. I did this at considerable expense, fencing it off, having dead trees felled etc, but only after I got council approval.

During the 10 years, Louise Johnson started her own claim, but I was told by my lawyer I had prior claim so not to worry. When my 10 years were up, I contacted my then lawyer, I'd changed to a different firm by then to ask how to conclude the claim -she said I didn't have to do anything as it was now mine.

However it appears that wasn't the case and Mrs Johnson saw her chance and pursued her claim. By this time I'd built a shed on the plot and was making it into a woodland garden but basically I had to get off the land, remove the shed and that was it. It was heartbreaking at the time, but there didn't appear to be anything else I could do.

Unfortunately I left it too long to complain to the Law Society, so I just had to let it go.

Eric

A quick couple of questions that I mentioned yesterday??

Do you remember more accurately when Louise Johnson put her original claim in during the 10-year period??

Any idea when she further pursued her own claim??

I'm presuming that this was after about 2001-2003??

S 2

I've found the "Woods File".

I first enquired about the plot in Feb 1993, and it looks like my claim dates from March 1993.

I then set to work having it fenced off by Alter Landscapes, employing a Tree Surgeon to assess the plot then paying him to make the plot safe, which included having some dead elm trees felled because they were dangerous. I had to apply for permission from Renfrewshire Council for that work to be done, even providing photographic evidence that one tree had actually fallen in high winds. This cost me a lot of money.

I was then worried about the spikes on the original iron fence at the front and my lawyer advised me to remove them to avoid public injury, this I did, all 239 with a hacksaw as I recall as I didn't own a Stihl Saw.

I also took out public liability insurance. Ironically, the Council refused permission to have the canopy overhanging the pavement to be cut back even though it forced pedestrians to walk on the road in summer, which worried me.

When the owner of one of the neighbouring garages expressed concern about overhanging branches I had them professionally removed.

I loved the ground, worked on it and my children and dogs shared it with me where I had all sorts of dream for the plot.

Anyway Louise Johnston applied for planning permission 2002 and was refused then, they had laid claim to the land. I was advised that I had prior claim so not to worry, the rest is within what I've already sent you.

Like I said, I thought all was well till Louise approached me when I was gardening at the plot Spring 2009 and told me I had to leave as the ground was theirs and they were "going to build a house ". I've never fully understood what happened, but it appears they did nothing illegal, saw their chance and followed it through.

To summarize, their first attempt at receiving planning permission appears to have been made in early 2002 , which I suppose is the main point. I think at least more than one has been made since then.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Eric

Morning S,

No I fully realise that you have not accused them of any illegal practices.
Where nothing illegal has been done anyway, as they have included a copy of the land certificate showing ownership.

As I've said previously, I've never understood why they kept on applying for planning permission for the site, but this is now obvious as they own it.

Where this can be very expensive, as they have now applied for planning permission 3-4 times over said 20+ years.

Considering that the villagers have consistently objected to their proposals over this period, and the council planning department have also consistently upheld the objections by their refusals, I personally think the Johnsons have been, and are being very naive.

Again it's similar to Burnfield Rd, they might own the land but can't get permission to build on it, it's "dead land" so to speak.

I'm not sure if you realise but all the previous objections are very important, where we as the objectors can ask that all of this historical information be taken into consideration for this present application and appeal, it obviously shows a consistent pattern of objections over a long period of time.

I hope some of this reassures you about what happens next, but my apologies if it also brings up painful memories for you, as you very obviously loved this area of woodland years ago, and still do in the present.

Personally the Johnsons have actually done me / us a back handed favour, by giving me a wake-up call re all this, & motivating me to do something about it, to protect this historical, natural site for Lochwinnoch and the villagers.

Where if the Review panel are consistent with previous decisions??, I would personally hope to bring this plot back into public ownership by whatever means we can get it back, where we can manage this plot and keep it in the natural state that it has been in for the last 160+ years, for the benefit of everyone in Lochwinnoch, as a beautiful, natural Woodland Garden.

Where hopefully the Johnstons have done us all a big favour by appealing this council decision by settling these issues to the benefit of all parties, the community in Lochwinnoch, the Johnstons, and Renfrewshire Council ??

S 4

That's reminded of what happened legally, as I understand it my name was entered on the old Land Register, it should also have been put on the new one, that's how I lost the ground because my lawyer didn't do that.

Eric

All of this hassle over all these years because of one simple legal mistake.

Which would probably have taken an hour or two of work to do.

The lawyer was lucky that you didn't make a complaint to the Law Society, as you certainly had grounds to do so.

When I think about it, I was forgetting my manners.

To ask you for permission to put your story in my own paperwork???

I would be careful to maintain confidentiality, & reword your text if necessary, & use only letters like WG for Woodland Garden so that you could not be identified in any way.

The councillors wouldn't be interested anyway, although the Johnstons will likely remember??

Your story is the basis of all of this & I feel very important to our own appeal, which I / we will use to highlight why the site must be left in its present state, so that we as a community in Lochwinnoch can maintain and manage it, and really improve upon it, in a similar manner to what the LCDT are doing with Lochhead Gardens.

Even to the point of involving the LCDT for help re various aspects of these ideas & asking RC for a Community Asset Transfer, (CAT), to extend the plot with the council owned land to the rear of the garden in a similar way to the application the LCDT have done for Lochhead Gardens.

Furthermore it fundamentally shows how right from the time that even before the Johnsons made a claim to this plot, that your plans for it were the foundations of all the objections that have followed over the last 30+ years, to the present.

And into the future, if / when, as I've said above where we hopefully bring the plot back into common law, common sense, community ownership.

Which if you are still interested in, I personally hope that you would still like to be involved in?? This was your dream 30+++ years ago, after all.

So I am really hoping that you are okay with me using your story.
To be honest, personally , I like the sound of S's Garden, L Gardens, or Auld Simon's Garden???

S 5

Well at the time I was in the process of leaving J, plus a solicitor acquaintance of mine told me she didn't think I had " what it would take", financially or otherwise to fight it, nor was there any point in complaining so I let it go. I'd have loved to have built a tiny wee L- shaped hoose there and see out my days but I always knew that would never be possible without felling healthy trees.

(NB from Eric: The fact that S had thought of building a small house on the plot in no way justifies the planning applications that the Johnstons have submitted over the years. Note the fact that S also acknowledges that healthy trees would have to be felled / sacrificed to build any property).

(Where I chose to leave this text in this part of our objections to highlight the fact that S had realised that building a property on the site was not possible).

Imagine the joy I felt when I had my wee shed built!

Anyway, back to present times and I must admit you've now got me interested in the idea of a Community Garden. I also always knew the plot was too big for me to look after it properly. There were actually some people who referred to it as S's Woods!!

God moves in mysterious ways I have found and if what I want is right, it tends to happen eventually. I would like to be involved in what goes on in the future. By the way , I'm happy to be named personally in the proceedings as I'm confident I haven't falsely accused anyone of anything, my only worry would be lawyer although I haven't named them in any of my communications with you.

There is still a chance that I've misunderstood events! Meanwhile I'll just allow myself to dream of the woodland garden. Oh, btw, there are remains of what appears to be a stone wall / foundations within the ground- I used to sit on them while I had my tea break- I'm sure you've examined the history of the area. x

S6

Already thinking of projects to open people's eyes to what can be achieved plant wise, there's a lovely " feel" up there. I don't think Mrs Johnston would know what I mean, don't think she would understand my love for the place, but maybe I'm wrong.

Just another piece of info which might explain a lot.

I had the ground professionally valued sometime during the 2000's, as I have the papers somewhere I think. If I remember correctly, it was valued at £65k if outline planning permission was obtained, which of course would involve removal of trees. I did that out of curiosity as I always knew trees would have to go and I wasn't prepared to do that, so it was a dead end.

(2nd Note from Eric: As we would obviously not be seeking to build or develop the gardens in this way, on a 'dead plot of land', by asking for planning permission, which negates our complete and whole ambitions for the site, we would want to have the plot evaluated and priced as a garden plot).

Come to think of it, that would be a driving force for other people??

I'll shut up now- things keep coming back to me. Now that I understand your motivations , I'd be happy to meet with you in the New Year and show you the " S's Woods " files I Till then ...

S7

Ps: I didn't do it before because I thought it would just look like sour grapes, and of course there is a small element of that, that has gone with the passage of time now that I am older and hopefully a bit wiser, but I can now see better reasons for objecting to their plans.

All of this text is rather long winded, but we have chosen to include it to emphasis the recent history of the site and the love and affection which many people in Lochwinnoch feel for the 'Woodland Garden', especially S, who still dreams of what is possible for 'her gardens' 30+ years later.

Where paradoxically to S's, and numerous other villagers' wishes for the 'gardens', like the Johnstons, (where again, within this extremely long paper, again at the risk of repeating oneself, we fully acknowledge their wishes to build on the site re their various planning applications), where they have also spent a lot of their own money in trying to develop the site, albeit it we obviously disagree and object in the strongest possible terms to the applicants building a property in this area of woodland.

Where we also strongly believe this is the wrong type of development for one of the last areas of woodland within our village, that has taken many years to naturally develop, albeit it is now overgrown, needing care and maintenance from interested parties.

4. Objections and Further Representations to the Original Planning Application.

In the Pre-Application Discussion Details Cont. section of the above, we note that there was "a major change on the site conditions", after Mr Weir's email of the 13.03.23, where the Johnstons thought that a "fresh application with a new approach" could be possible.

So per the Tree Condition Survey that the Johnstons had requested in May 2022, followed by Mr Weir noting changes to the tree plan in his email of March 2023, presumably that 4 of the trees would have to be felled, etc, that the planning department still refused the Johnstons latest planning application.

Where if the Johnstons had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, obviously these tress would never have needed felling.

Which makes us wonder just how much care of the plot the Johnstons were inclined towards by looking after the site, considering the number of applications they have submitted over nearly 2 decades??

Access and Parking.

These issues were within our original objections that we submitted against the initial planning application.

Where the site at Auld Simon is often used by local groups as a starting point for local parades, etc. E.g., Gala Day Parade in June, the Samba band have also this location on occasion, Millenium Walk of Faith. Where a large number of children often attend these first two on-going events with their parent(s).

Whilst the Johnstons have only applied for 2 parking spaces on this site, and the Health & Safety of these events can be managed by marshalling, this increase in traffic, however small, could pose a risk to both adults, especially children and the disabled, amongst large crowds of people waiting for parades to start, if the LRB Review Panel were to uphold this appeal, especially if the applicant had visitors to their home??

These points / risks may seem minor, but we wish to make the Review Panel aware of these risks.

Water Supply and Drainage Arrangements.

At the time of writing this section out, (Monday 11/12/2023 @ 14.35) we are waiting on council staff replying to queries on these points??

As the refusal was based on tree grounds, where the appeal is also based on the same, we have asked officials if the Johnstons would have been aware of further objections from close-by residents.

Where we have since been advised by Planning Department Staff that these objections were available for the applicants viewing, where no attempts were made to do so, therefore the applicants chose not to make themselves aware of any concerns that their prospective neighbours may have on their proposals.

Thereby as far as we the interested parties / objectors are concerned, weakening their case for Review.

Alternatively, if they had attempted to view these objections and addressed the associated concerns, to our mind, they would have better prepared for their Review / Appeal process, by having more answers and information with regards to the impact that this property development would have on the surrounding area, and well beyond the development site.

This lack of concern regarding other people's opinions on their proposals seems to consistent in the applicants overall approach to their Planning Application(s) over a long period of time??

Under this section of the application, new or altered water supply and drainage will be required, where this proposed property will link into the existing drainage system.

The planning application document makes no mention of sewage waste??

Where the home of one elderly widowed resident is built over one of the main drainage pipes for wastewater or sewage. This resident strongly objected to the planning application re these concerns that the existing system wouldn't be able to cope with the extra waste from the proposed new build.

We acknowledge that this waste could only be for mainly 2-4 people, where this may point may seem unlikely. Nonetheless, we feel that point must be addressed, if only to give peace of mind to this elderly villager, who is very concerned about these issues.

Where we wish the Review Panel to note the following questions on these issues??

Questions:

1. Are the applicants aware of these issues regarding this individual property??
2. If they are aware of them??, what measures have they taken to address these points??
3. If the applicants are aware of the issues, why have they not highlighted this in their original planning application or even their Statement in Support of their Appeal??
4. Even if this outside the grounds of both planning refusal and appeal??
5. Or what advice have they sought on these issues??
6. Have they followed up on any advice that they have been given??

Furthermore, in a more general sense.

7. Are they aware of the design, layout, and structure of the existing draining system??
8. Especially as they intend to connect to that system??
9. Did they make enquiries about these issues?? 10. Were they required to do so?? 11. Were they aware of such issues, but didn't think that they were relevant to their application??

Where the first 6 questions on the individual property also apply to the more generalised issues of how their new build might affect the surrounding properties.

Where we believe that there are more generalised issues on drainage and sewage within this locale, where we will make more representations on these issues before the meeting of the Review Panel at the end of next month, where these issues are obviously of major concerns concerning raw sewage to this residents in the surrounding area of the application site.

Whilst all of this is obviously a specialised area of Civil Engineering, considering the number of applications that they have applied for in the past, how aware of these overall issues are they, in relation to this plot of land??

The original RC planning application has an Assessment of Flood Risk.

Where they have answered No to both questions in this section.

Does this assessment include any possible damage to tree roots in either the short or long term??

With the possible increase in run-off to other properties re any possible damage, in any direction, e.g., front or back into the gardens at the start of Johnshill or in St Winnoc Rd that are situated below the site of 2 Johnshill??

Schedule 3 Development.

We note that the applicant ticked the No box in response to this part of the Planning application, where normally for any Planning Application within Lochwinnoch we would see something in the local press??

Some of us as objectors have discussed this point, but none of us can remember seeing any Notice of Planning Permission within any of the local newspapers, which would normally be weekly in The Gazette. (Covering Johnstone and Renfrewshire).

Whilst we would be surprised if this part of the planning process was not adhered to, we wished to query this anyway, for the reasons stated above.

Certificate and Notes and the Land Ownership Certificate.

We note both the Certificate and Notes and the Land Ownership Certificate sections towards the end of the Planning Application and acknowledge this gives the applicant full legal title to the site.

We also note that these sections do not give any dates for when Mr and Mrs Johnston gained full title to the site, as S has said in her texts if Mrs Johnston was (first) refused Planning Permission in 2002, then presumably they had title to the plot before this date.

In 2023 it is probably now a moot point, but as the interested parties / objectors we had a discussion on the timeframe involved, i.e., the time between the Johnstons first having title to the plot, and the time they first applied for planning permission, and did this comply with the legislation of the time.

Where we wish all parties to note that we are still trying to have this point clarified from other sources, albeit it may not be relevant to this Review Paper for the LRB.

Like the points in the Schedule 3 Development section, if the Review Panel are able to have this point cleared up before we act on our alternatives for the site, so that any processes have met all due legal process and requirements??

Other than these points, we have no further comments or questions to ask of the applicants for this section of the Planning Permission Document, at this point in time.

5. Examination / Representations of Tree Condition Survey.

We have listed the Tree Condition Survey here as we believe that it has important relevance to the following sections of our Paper to the Review / Appeal and the Review Panel.

As laypersons who are certainly not Arborists / Arboriculturists for the management, maintenance, and especially the felling of diseased or damaged trees, we have to abide by the recommendations of Mr Calvey.

Although we notice that the Tree Condition Survey is now presently classed as out of date by approximately 6 months in Mid-December 2023, as noted in his report by Mr Calvey himself in his own report.

As the report was only valid for 1 year from the reporting date of May 2022, and published approximately one month later on the 14th of June 2022.

Without a further tree survey we now are wondering what the overall condition or state of the site now is??

Where for our part as the objectors, only a visual inspection of the site would be possible, where that inspection would be severely hampered by the large amounts of this, difficult to walk on / passable un-maintained ivy / undergrowth.

Where we also note the conditions of the trees that required Crown Reduction and the trees that needed removal, 6 of for Crown Removal / pruning at the tops of, and 4 for removal.

We further note from the accompanying photographs and text on the 1st page of the survey that various trees have very large amounts of ivy growing both around them and up all of the trunks of these large, well-established trees, and at ground level across the whole of the site has been, as stated above un-maintained, even very badly maintained.

Which leaves us wondering how often, and how much the plot has been regularly, even sporadically looked after, in a variety of ways over the last 20 odd years??

Having noted these points in our Paper of Further Representations / Objections where we have deliberately used the full title, to object on these points alone, at the way the plot has obviously been neglected over a large period of time, by the applicants as the legal title holders.

Where we will say quite a bit more on this subject in the next sections of our Paper to the Review Panel, which we would ask the HCG to continue to note on these issues.

6. Representations on Notice of Review Document.

We note that the registered address of the applicants on the 1st page of the Notice of Review is;

Flat 0/2,

174 Clarkston Road,

Glasgow,

G44 3DN.

We will make our reasons known for noting this point just very shortly, within this section of our Paper of Representations.

This may be an inappropriate point, but as the applicants now live up in Clarkston, Glasgow with this as their registered address on their appeal, we wish to ask the Review Panel why this appeal should be upheld by the applicants when they don't even live in Lochwinnoch anymore??

Where they have not done so for a number of years.

We are sure the applicants had good personal reasons for this move to Glasgow, but this still implies an absence of loyalty to a village and community that they lived in for many years??

These questions would be completely irrelevant if it were not for the fact that the applicants have, once again, applied for planning permission for this site.

It is only because of the planning permission appeal that we ask these questions.

To think otherwise would be to imply or think that people are not allowed to live where they chose to live, which would be a ludicrous suggestion, I am originally from the South side of Glasgow, but I (Eric) personally chose to live, and plan to die in Lochwinnoch.

Furthermore, the note below is a copy of the text between S and I on Page 7 of this paper.

S 3

Ps- I heard Louise had told a friend they'd sold their house in Lade Court and were renting till they built their house up at the woods, so she seemed to be confident that it would go ahead.

Which considering this 'house' has been very consistently objected to and refused by the council over all these years, this piece of gossip seems rather 'over-confident' on the part of Mrs Johnston??

On a more concrete note, we also wish to ask the applicants further questions in a similar vein??

After all these years of said objections and refusals of your plans for this site, apart from changes to the tree plan per the survey report;

1. Can you give us justifications for / valid reasons for why the Review Panel should now uphold this present planning application??
2. In light of the planning department decision, again for Refusal in 2023.
3. Thereby overturning the present planning department decision.
4. Which would also obviously overturn all the previous decisions made by the same department since your 1st planning application sometime just into the Millenium??
5. Which would obviously also make Null and Void all the previous Objections over this same time frame, by multiple objectors, of varying age groups including older ones like many of our present group who are now either approaching or in pensionable age, where some of us have been objecting over the last two decades.
6. Where even more so, again if this is a relevant point??

All of the objectors, past and present are obviously all Council Taxpayers, who because we choose to live in Lochwinnoch, we pay our Council tax to Renfrewshire Council as the Local Authority.

So, with all due respect, as you now live in Glasgow, thereby paying your Council Tax to the Glasgow authority, even more so why should the Renfrewshire Review Panel find in your favour, nullifying the wishes of all of these taxpayers, past and present over 20+ years.

This last inquiry might seem a very cheeky, very impertinent question, where we are most definitely not trying to place undue pressure on the Review Panel, where we expect their decisions will be fully impartial, but also meanwhile very fair in their judgement.

So all these questions are **directed solely** at the applicants, where we are interested to hear what their responses are in relation to all of the above questions, again in addition to any other questions we have asked the applicants throughout this paper, including the last one regarding council taxes.

Moving on from these possible mooted points, we would also like to ask further questions concerning this Review / Appeal.

Considering the level of objections from the community over many years, including the present one, and the fact that the Tree Condition Survey Report is now out-of-date, albeit by only 6 months from May this year;

Under the Review procedure part of the appeal, the LRB have accepted your suggestions that you as the applicants feel "is most appropriate for the handling of your Review".

So why have you as the applicants only asked for an Assessment of review documents only, with no further procedure??

Where also, you have made no statement in support of your Review for options 1 or 2, or even asked for a further Site Inspection.

Albeit the last Site Inspection was done only 9 months ago by Mr Weir.

If you as the applicants, feel that you have such a strong case by going to appeal on the Refusal, would a possible combination of procedures, as noted on the Notice of Review document, of Further written submissions, another Site Inspection, and said Assessment of review documents not have been more appropriate to your case for that appeal??

Surely you, as the applicants want to make your case as strong as possible by exploring all possible avenues to further your case, in asking the Review panel to overturn our objections in favour of your appeal??

Or in an alternative scenario;

As the applicants, you are very aware, that you actually have quite a weak case in only asking for an Assessment of review documents with no further procedure.

Where you may have been, and we emphasis 'may have been', advised by your Consultants that if you wish to go for a Review, this is the best / only option, that this is the minimum threshold for a Review, where the Review panel have no option but to agree to this 'paper' Review at its lowest level under appropriate legislation, to ensure that they, the Council are adhering to that legislation to ensure that you have been fairly treated within the legal guidelines under planning law.

So as we continue to ask, we are curious as to what replies to our queries you may give us on all of the above noted questions, under this section of our papers to your appeal??

Where, as we believe you do have a (fairly / very), weak case for appeal, we will outline in the next section of our Representations / Objections, the importance of the conditions of the trees, as the main grounds of Refusal by the planning department, where as far as we can see as the interested parties / objectors who all live in Lochwinnoch, the ground and surrounding growths, and more so the trees on which the grounds are sited, where there is an 'interdependent relationship' between the two, where the trees are obviously wholly dependent on these grounds, which need to be kept in decent condition for the good maintenance and management of the trees, as the main aspects of this woodland area.

7. Representations / Objections to the Planning Appeal Statement.

Our representations / objections to the original planning application could be split roughly into 3 areas, i.e.,

1. Circumstances affecting the site itself, including the presence of the trees, wildlife that live on the grounds, birds that use this environment for feeding, nesting, hatching, etc, and various other aspects of a semi-urban woodland site like the one next to Auld Simon.

2. Auld Simon itself, or to give it its original name St John's Kirk, or the Kirk of St John which was dedicated to Saint John, where the name Johnshill comes from, or St Winnock's Church within the

Church of Scotland, dated from 1727-1729, all of which depends on different sites that we at looked at online.

The obvious historical significance of the church as the oldest building in the village.

Where the bell is an original from 1729 and the clock was added in about 1731.

3. How the development of this property could affect the surrounding existing properties, in various ways, of the close-by neighbours.

Where we by now all know, the grounds of Refusal were mainly based on the 1st two types of objections, where the trees were all Points 1-5, with Refusal including Auld Simon at Point 4.

So our objections were upheld on Points 1 and 2 as noted above, by the planning department, apart from the 3rd category which doesn't seem to have been included in the Refusal.

So the grounds for our original objections and the grounds for the Refusal were both very similar, albeit the Refusal largely quoted points of legislation which we expected it to do, as obviously planning officials are better versed in this type of law making, as opposed to the interested parties / objectors, who are mainly concerned lay-persons who value the 'gardens' for its intrinsic, environmental, and natural values to and for our small community in Lochwinnoch.

Which in the main part, is fine by us as the interested parties / objectors, where a Refusal is a Refusal, on whatever grounds that may be decided on by planning staff??

Where we as the interested parties / objectors obviously hope that these points of the Refusal will also be adequate to maintain this original decision by the planning department, for this present decision in 2023, which also seems similar to all previous Refusals over the long-term objection period.

Where the conditions of the trees are important to all parties concerned in this process, whether from an interested party / objector's, applicant's or officials point of view.

From the Tree Survey Report outlining the most professional opinion on the recent conditions of the site, (May 2022), in contrast to the Appeal Application Supplementary (proposed) Planting Plan, and the detailed Planning Appeal Statement, it is obvious that in these parts of your appeal, you have gone into some detail in support of that appeal.

In direct contrast to the existing state of the of both the ground that is covered in masses of ivy, with that same ivy growing up many of the trees, to at least average head height.

On a personal visit of the site on Wednesday on the 13th of December 2023 / the week of 1st submissions, I (Eric) walked around the iron fence and take a walk on the grounds, which I did at some risk, where I often found it difficult to keep my footing, due to the undulating ground, which is very uneven across the whole site, which could only be a hinderance for property development, adversely affecting the substantial tree root systems from the various large trees with their foundations underneath these hilly grounds.

I am 5 ft 5-6 inches in height, on tree trunks with ivy, it is well above my head height.

Where quite frankly, in all objective, impartial honesty the plot is in a seriously overgrown condition, which is easily visible even from some distance away, and when driving past the site in the car.

(Eric: Where I chose to take some videos of the site for my own personal reference).

(Note from Eric: For all parties reading this paper, we have chosen not to include these photographs, which were taken my own phone, as we plan to include them in further representations / objections and as part of a much wider photographic portfolio as an ongoing record of the physical conditions that exist at the site.)

Regarding the present conditions on the site, and your plans for the maintenance of the existing trees, as well as new planting on the site, strong contradictions of a paradoxical nature seem to exist on the site.

Where on the one hand, you claim / imply that you will sensitively care for and manage the existing tree outline, presumably pruning back and getting rid of lots of undergrowth, from both across the ground and well up beyond ground level.

Also and obviously to do the same regarding the ivy and other overgrown material up all the trucks of the surviving trees within the boundaries of the plot.

Yet on the other hand, the remaining trees are still all in a seriously overgrown state, where the ivy is still heavily present, even during the winter months where the ivy and undergrowth has reduced, but only because of the colder weather conditions coming up to the winter months within the next 9 days at the Winter Equinox, on the 22nd of December for this year.

Where obviously all of this growth that is presently dormant, will return again in the spring and summer months next year and beyond, probably in a worse state that it has been in previous years, as without proper care and management, all this growth is cumulative, especially over long periods of time.

Which is nothing to say of the 4 trees that had to be cut down this last summer due to the fact that they were heavily diseased, again per the Tree Survey Report.

So very frankly, which is it??

Is it care and maintenance of existing woodland, with new growth and planting??

But only if your appeal is successful??

Or

Is it allowing the plot to become more overgrow, requiring more trees to be felled, etc, etc??

If your appeal is refused??

As witnessed by the lack of care for the plot, by yourselves as the Legal Title Owners over the last 20 odd years.

Where in fact, as the facts seem abundantly obvious, the trees have actually been your greatest hinderance to building any kind of property on this plot of woodland over all these years.

We contend as the interested parties / objectors, that in fact your lack of care and maintenance of the site has been a very deliberate part of a very long-term plan to build a house on this site??

By knowing and hoping that with the lack of your care of the site, the trees would eventually through time become diseased, ultimately requiring felling, thereby allowing you to build some kind of property on the site through extra space being created??

Where obviously, if the trees come down through said felling, the greater your chances, as the only applicants over 20 years as the only Legal Title Holders.

Furthermore, as the owners of the plot, no one else in Lochwinnoch is going to do anything about tidying up the site, where that is your prerogative / responsibility and no one else's.

Where all this is witnessed by the fact, that your latest original Planning Application that was submitted in May this year after, and I quote;

"Due to a major change on the site conditions, following previous objections in 2015, we met Planning Officer James Weir on site."

"After his email of 13.03.23, we came to the conclusion that a fresh application with a new approach could be considered favourably."

So for the HCG and the Review Panel, we ask you to note;

The 2 points to note here are;

1. "A major change on the site conditions."
2. "A new approach could be considered favourably."

On Point 1 that yet again we wish to state that these changes had occurred due to lack of care, maintenance, and management of the trees on the site in the long term 20-year period, resulting in Point 2, where "a new approach could be considered favourably."

Where this new approach consists of a smaller property, in the form of a small bungalow type cottage, as opposed to the 2-storey house, with up and down stairs, that the applicants thought would pass due to the similar type of brickwork to Auld Simon.

Which we still find , as oft stated before, highly objectional.

8. Our Conclusion of the Planning Appeal Statement.

As our suppositions to the Planning Appeal Statement are largely contained in the previous section, the conclusions to us seem very obvious.

This situation is a 'Catch 22' situation for both the Applicants and us as the Objectors.

As the applicants have never been able to build on the plot, i.e., 'dead land' as we have previously mentioned, they have never really been interested in caring for the site as it should be and could be cared for.

Even more so now in the present as they presently now live up in Glasgow, with it obviously being further to travel to, as opposed to walking up the street from their previous home in the village.

They have only ever been interested in the site if / when they could build a property on it, contradicting and overturning the wishes of a long history of objectors within Lochwinnoch, where if they had tried approaching some of the neighbours in the local vicinity of 2 Johnshill, they might have met with slightly more success.

Which having spoken to most of the neighbours in the surrounding area, some of whom are elderly long-term residents, we very firmly believe would not have made the slightest bit of difference.

As far as we are aware this never actually previously happened, again as some of the residents in this area have lived in their homes since before the Johnstons put in their 1st Planning Application in the early Millenium.

Where we wish to make it absolutely clear, we do not wish to slander Mr and Mrs Johnston, but we no longer wish to see the plot left in its present state of extremely untidy, disrepair, when we feel very strongly that it could be put to much better use.

As the local community we have never been able to maintain the site either, which on reflection could be described as short sighted on our part, but again in a contradictory manner, it has been suggested that some locals did try to briefly maintain the site, but ironically enough, it has been suggested that the applicants also objected to this work being carried out by concerned local residents, who were upset and concerned about the state of the site a number of years ago.

So to the Million Dollar Question??

To try and resolve the Catch 22 Situation that both the applicants and we as the community of Lochwinnoch find ourselves in??

9. Our Own Proposals for the Site at 2 Johnshill, East End, Lochwinnoch.

So to move on to further our own proposals for 'Our Gardens'.

As an Elder and Worship leader in the Church of Scotland, I Praise and Thank the Good Lord that the staff and elected officials of Renfrewshire Council have seen fit to reject the applicants' proposals for the site over a long period of time, thereby leaving the possibilities of our community being able to develop the plot in a careful, considerate, sensitive manner that is in keeping with Renfrewshire Council's Environmental and Sustainable programmes.

In a manner that is similar to the proposals / ideas for the Lochwinnoch Community Development Trust, (LCDT), site at Lochhead Gardens, which we as a group of volunteers / amateur gardeners would bring "S's and Auld Simon's Garden's" to a state of a beautiful, blossoming Woodland Garden. Where, especially with the guidance of S, who loves the ground, in case the LRB Review Panel need reminding of this point??

Where if possible we would also approach Renfrewshire Council to ask about a Community Asset Transfer, (CAT) as we may have mentioned in other previous parts of our Representations, again in a similar manner to the way the LCDT have sought one for Lochhead Gardens.

NB: Where we as the interested parties / objectors have privately discussed this idea of a CAT, I (Eric) casually and briefly spoke to one of the local Councillors for the first time ever on this issue, on the afternoon of Wednesday 13th of December 2023 regarding this idea, who certainly didn't poo-poo me on it, and who seemed to consider it a reasonable option, for a site of council owned land that has lain unused for a long time, similar to the Lochhead Gardens site.

As a group of concerned locals or 'redevelopment interested parties', if we were able to get a CAT from RC for this part of the woodland area, it would obviously and dramatically increase the size of the area for said redevelopment as the woodland garden.

Where we would even consider making enquiries about the plot of land across from the application site, the lane known as 'Skipper's Path going down to Gates Road, at the left side of Skipper's Path, where the lane as a Public Right of Way that runs from East End to Gates Road.

This area of land has, like other plots of land in this area of the Lochwinnoch has remained unused for many years in a very overgrown state of ground growth, shrubbery, and trees, which is also very unsightly to the local residents.

Like the application site, it could also be described as 'dead land'.

The 'Skipper's Path Site' is enclosed on 4 sides, with no legal vehicular access, where a number of developers have looked at it over a long number of years, and discounted it for any kind of property development, due to the lack of this access.

Any of this, in part or whole, RC owned land or Skipper's Path would obviously dramatically increase the area of the 'Woodland Gardens', which would considerably widen the scope of activities that we would be able to undertake within this woodland space.

Where if we were given a CAT, we would seek the opinions of the owners of the garages on the council owned land, even if they are mainly run down.

Where furthermore, these proposals seems to fit in with Scottish Government, (SG) Legislation of June 2018, with the;

'Community right to buy abandoned, neglected or detrimental land, (ANDL).

Where we would explore the possibilities of these proposals and form the necessary and relevant community bodies to allow these proposals to come to fruition.

If all these ideas came together, to bring all this land / these plots into community ownership this would be a huge undertaking for us as a community.

Where, very, very importantly the present application site, whilst not physically so, would be a very central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch.

Where absolutely, none, none of this area could ever be considered or given up for any kind of property development.

Where we would expect to have, if necessary, full Title Deeds drawn up, or some kind of Statement of Intent, where one of the preconditions to that title / Intent would be the express statement that all of this extended site would remain as 'green land' in perpetuity, for the permanent benefits, for both the present and future residents of Lochwinnoch.

Where we would take into full consideration on our part, as we are asking the LRB to do regarding this continued Refusal of this appeal, the thoughts and opinions of the surrounding neighbours and residents of the village, if necessary, e.g., by having public meetings to highlight our proposals.

As Papers of Further Objections and Representations to the LRB Review Panel were submitted last night by email to Mr. Robert Devine as a Senior Official of RC, it is only this morning since these submissions last night that we have thought about these ideas after very brief but very hurried discussions on this, where we very importantly feel are central to our Further Representations and Further Objections to the LRB Panel Review at the end of next month.

So in spite of / whilst these ideas / proposals have not formed a central plank of our original papers, within Mr Devine's email stating that any more Further Representations / Objections should be submitted to the Head of Corporate Governance before 3.55pm tomorrow Friday 15th of December 2023 as the deadline for paper submissions, we now ask the HCG, the LRB, and the Review Panel of

Elected Officials, or Elected Councillors to take note of these proposals before and during the LRB hearing on the 30th of January next year.

By giving our proposals their full consideration in relation to both the application site, and the wider considerations / implications that the Status Quo remains intact, where the decision of the Planning Department from the 8th of September 2023 be upheld by the LRB Review Panel, to allow us as the interested parties and objectors to explore the future of our wide range of ideas to allow natural development of this area of the East End of Lochwinnoch.

Without the detrimental effects of a new property, as proposed by the applicants sitting within our own enlarged proposed woodland development site, where as we have stated on numerous occasions now during the length of these Papers, to once again 'strike down' the proposals by the applicants, which are completely at odds with our own natural development of the area, to the benefits of the complete and whole population of Lochwinnoch and beyond into the wider community in Greater Glasgow, Renfrewshire and North Ayrshire, within Muirshiel Regional Park where this natural 'woodland area' or S's & Auld Simon's Woodland Garden would be completely open to all sections of all communities, thereby hopefully increasing visitor numbers to Lochwinnoch, and Renfrewshire in general.

Whereas we are sure, as the Staff / Elected Officials of RC all know, we get large numbers of visitors from across the, e.g., Greater Glasgow area, and from Kilmarnock in East Ayrshire, with School parties on Castle Semple Loch, Less-Able-Bodied Children in wheelchairs, or more mobile Children / Teenagers with 'Special Needs', coming to Muirshiel Regional Park.

(Excuse me / Eric as one of the authors and writers of this paper getting a bit caught up in all these proposals / ideas.)

In the meantime, to return to the present issue;

As I / Eric and My Wife hope / plan to live close by in the years to come, with my In-Laws presently reside in the vicinity and many of the objectors also living close to the site, it would be wonderful to be living nearby to these 'gardens', knowing that we had managed to save them from any form of development, and that hopefully, for many generations to come, all sorts of people would get lots of pleasure and educational benefits from having the 'gardens' in this part of Lochwinnoch, similar but different to Lochhead Gardens at the other end of the village.

Where, it seems blindingly obvious to us as the interested parties, some of the most important of these groups would be the local schoolchildren, mainly from Lochwinnoch Primary School, but also from other Primary and Secondary Schools in the area if they wished to come visit (either) site at Lochhead or S's & Auld Simon's Gardens'??

Where we personally envisage that our project may have somewhat wilder aspects to it's development, to differentiate it from Lochhead Gardens to teach, especially the children, different aspects of flora and fauna, teaching them about the trees, and hopefully / possibly small wild animals who take up residence in a slightly wilder garden site.

Where the ideas and possibilities seem endless, in this bigger 'garden' site if we able to get a CAT from RC, where to re-assure council officials and staff, we would wish to naturally develop that piece of land in a similar manner to the site at 2 Johnshill, where we would welcome site visitations from council staff to appraise them of our progress on the CAT site, and the whole site generally.

10. Final Conclusion to this Paper for the LRB and the HCG, of Further Objections and Representations in relation to this Planning Appeal by the Applicant, Mr David Johnston.

In asking for this Notice of Review with the LRB, thereby highlighting the conditions that presently exist on the planning / application site, many of our group felt that Mr And Mrs Johnston have actually done us, our group / our village / our community in Lochwinnoch an unforeseen, unintended, backhanded favour.

By bringing to our attention, in the "full glaring light of day" to the conditions that presently exist on the site of S's beloved 'Woodland Garden'.

If anyone on the Review Panel doubts what we are saying, then we would like to invite you down to Lochwinnoch for an anonymous visit to examine for yourself the conditions on this plot, one of the last plots of woodland in a fairly built-up area, within a rural village.

Where it also seems that the site across from the oldest building in Lochwinnoch, and a Holy Place of Worship as the remains of an ancient church, is only / has only ever been any good to the applicants if they were going to be able to build a property on it.

At this point in this Paper of Representations / Objections, we as the 'interested parties' wish all other parties to note that, in case it is in any doubt, that once again we object to any development on this site in the strongest possible terms.

With no caveats or compromises on our part re any form of house building or development of any kind, however small or aesthetic this may be.

The site has been a natural woodland for nearly 170 years, can we just leave it that way Please, for the benefits of this community.

In spite of the conditions that the applicants have left the plot in, over many years, we also feel compassion for them, where we fully acknowledge, realise and understand that Mr and Mrs Johnston have also held this dream close to their hearts for many years.

However, that does not compromise our intentions to bring this plot back into community ownership, where this seems to be a very black and white scenario, with very little grey area in-between their proposals and ours.

Where we feel that after 20 plus years of sustained upheld objections, within the last 170 years, that the site / plot / gardens themselves have waited long enough for someone to take decent care of them, in a manner appropriate to the surrounding, natural, God / Holy-Spirit Protected Area, where "Thy Will Be Done", Not my will, But Thy Will, as The Will of God that seems to have keeping them waiting for someone to look after them.

With as we have now stated on numerous occasions, the obvious enduring support of Renfrewshire Council Local Authority.

When the LRB Review Panel make a ruling on this Appeal at the end of next month, if the LRB upholds the decision of their Planning Department, we will obviously be very, very grateful.

We do not wish to consider the other possibility at this point in time.

If the Appeal is again Refused like previous long-term decisions, Mr and Mrs Johnston obviously have a choice to make, both individually and together??

If they choose to accept the decision of the Review Panel, then we will enter into negotiations with them as soon as they are ready, to bring the Title Deeds back into Community Ownership.

Where we would compromise as much as possible with them through appointed lawyers, short of any future development on the site.

Even to the point of entering into financial talks with them regarding the site??

Where we would be prepared to wait an appropriate and discrete length of time to let them catch their breath, so to speak.

However should the applicants refuse to accept the ruling of the Appeal Body, we want them to understand, in no uncertain terms, that we will fight them absolutely every step of the way should they decide to appeal to any higher authority than the one they have already just had a ruling from.

Where we in no way wish to look as if we are blackmailing the applicants into withdrawing their case, but we wish them to clearly understand what **our** intentions are for the future??

Where we very, very firmly believe even now, **that whilst we are being very, very cautious and very, careful**, we also believe that we have an excellent chance of winning our case with the Review Panel.

Where we also believe, should it be necessary, that we can also win any future case to any higher authority if you should decide to go there??

But we'll leave this decision up to you, obviously depending on the decision of the Review Panel.

In the final part of this text we sincerely hope that we have presented a very strong case to the Review Panel to, once again reject and Refuse the Development Appeal by the applicants, in line with the decision by your associated Planning Department decision in September this year, and the Review Panel's decision at the end of January 2024.

We acknowledge that the applicants will respond to these Further Objections and Representations, and we await their responses to these Representations.

Where we will, once again, respond in a similar manner to the Applicants' own Representations.

Considering how very long this Representations Paper is, we wish to thank all everyone who has to read through this document.

We as the Interested Parties / Objectors do realise that this paper is a very, very long read in representing our case, and in some parts the reader may find it a bit boring or losing the thread of our arguments.

Or for where the paper, throughout its length is also very repetitive.

If this is the case for anyone, we would like to sincerely apologise.

However we have tried to make our case as strong as we can possibly make it, hence the length of it, by going through all of documents provided by both the applicants and Renfrewshire Council and trying to address each of the sections of these documents in very fine detail.

Hoping that You all have a Lovely Christmas

Regards and Best Wishes

From (Eric the Auld Gasbag) and The Team for S's & Auld Simon's 'Garden's'

References

Other than three brief online references regarding Auld Simon and Scottish Government Legislation, nothing other than the paperwork / documents provided by the Planning Department, no other documents were used to reference any part of this Paper of Representations.

Therefore no Reference List is required in any form of an academic manner.

Final Personal Notes:

Should anyone wish to contact me for any reason, regarding any of the contents within this Paper of Objections and Representations??

My contact details are below, at the end of this paragraph.

I also publicly wish to thank everyone who contributed towards this Paper of Further Objections and Representations, especially S for all the back and forward text messages, and M, for the ideas you gave me / us, and provided a bit of leadership, especially during our meetings, but also generally.

We were "lucky" that the right people appeared at the right time.

Where I just happened to be the one who had the time to word process this very lengthy document, my apologies to everyone reading all this as it is rather repetitive in some areas. It was a bit difficult at times to keep track of what I /we were trying to get down on paper from our discussions and texts, etc.

I shall thank you all privately for your input, but for reasons of confidentiality I don't want to name any of you publicly.

As you will all read this paper I am really pleased that we managed to get together so quickly to form this small group, where hopefully we will be able to enlarge the group further and gain more input from other people.

Some of the brainstorming sessions were really good fun and a good laugh, that was the part that I personally enjoyed the most by meeting other people that I had never met before, especially with a common purpose in mind regarding this Review / Appeal Notice.

Auld windbag that I am, away I all hear you laughing, you're not a windbag Eric, Ha! Ha! Ha!

I could say more of course, but I'll leave it there, as I really think I've said enough.

So I hope you all have a lovely Christmas.

Relax and enjoy yourselves after all this marathon 2 weeks.

My contact details are;

M: [REDACTED]

Email:
[REDACTED]

Appellant's response to the Further representations received from Interested Parties

The appellant's agent has indicated verbally that the appellant has no comment to make in respect of the further representations.



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

Proposal: Erection of a single-storey dwellinghouse and associated works
Location: at a site on the eastern boundary of No 2 Johnshill, East End, Lochwinnoch
Application Type: Planning Permission
Application Number: 23/0179/PP

This Procedure Notice is given to the following:

- (1) Gwen McCracken
 Development Standards Manager of Renfrewshire Council
 Cotton Street
 Paisley
The Appointed Officer

- (2) David Johnston
 Flat 0/2
 174 Clarkston Road
 GLASGOW
 G44 4DN
The Applicant

At a meeting on 30 January 2024, Renfrewshire Council's Local Review Body (the "LRB") determined, in terms of Regulation 12 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (the "2013 Regulations") that the review documents before it did not provide sufficient information to enable it to determine the review of the above Planning Application.

The LRB noted as a first preliminary matter, that a number of interested parties had submitted representations in respect of the proposal when it had first been considered and that following receipt of the Notice of Review, those interested parties had been contacted and advised that their representations would be considered by the LRB when determining the application and also invited to make further representations if they so wished. Thereafter a number of the interested parties had submitted further representations.



Finance & Resources
 Director: Alastair MacArthur CPFA
 Head of Corporate Governance: Mark Conaghan LLB (Hons) Dip LP
 Renfrewshire House, Cotton Street, Paisley PA1 1TT
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On reading these further representations it could be considered that they potentially introduced matters that were not before the appointed officer when the appointed officer made the original decision. It was also noted that there was a general presumption, applicable to both the individual seeking review and any other party to the review, including interested parties, against introducing any matter that was not before the appointed officer when the original decision was made. It was highlighted that this restriction did not however apply where the new matter had been raised pursuant to a requirement or an entitlement to have regard to the development plan or any other material consideration.

In accordance with Regulation 13 of the 2013 Regulations the LRB determined that the review should proceed by way of further written submissions and by means of an inspection of the land to which the review relates.

This Procedure Notice which is given under and in accordance with Paragraph 15 of the 2013 Regulation, requires the appointed officer, by no later than **19 February 2024**, a written submission to the LRB setting out what matters within the further representations received from interested parties that the officer considers were not before them when they made their decision and also, in the officer's view, whether these had been raised pursuant to a requirement or an entitlement to have regard to the development plan or any other material consideration (the "Procedure Notice Response") and must, by the same date, provide a copy of the Procedure Notice Response to the Applicant.

The Applicant will be afforded a period of 14 days from receipt of a copy of the Procedure Notice Response to submit to the LRB written comments in reply to the Procedure Notice Response, and if doing so, must provide a copy of those comments to the Planning Authority.

All responses may be sent electronically to the following email addresses:

For the LRB: democratic-services@renfrewshire.gov.uk

For the Applicant: info@chgarchitecture.com

For the Planning Authority: gwen.mccracken@renfrewshire.gov.uk

Following receipt of the further information requested and any comments submitted, the review application will be submitted to the next available meeting of the LRB. Notice will be provided to all parties in receipt of this Procedure Notice detailing the date and time of the meeting in due course.



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PLANNING APPLICATION REF NO: 23/0179/PP – NOTICE OF REVIEW**Appointed Officer Consultation Response**

After consideration of the objections/representations submitted by third parties in relation to the Notice of Review, the appointed officer can make the following comments.

In the assessment of a planning application, guidance on what is a material consideration is set out in Scottish Planning Circular 3/2013: Development Management Procedures. It states that the range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case.

There are two main tests in deciding whether a consideration is material and relevant:

- It should serve or be related to the purpose of planning. It should therefore relate to the development or use of land, and
- It should relate to the particular application.

Examples of possible material considerations include:

Planning policy

Development plan policy

The environmental impact of the proposal

The design of the proposed development and its relationship to its surroundings

Access, provision of infrastructure and planning history of the site

Public concern or support expressed on relevant planning matters.

Eighteen letters of objection/representation raising the same points were submitted by third parties in relation to the Notice of Review. These have been fully considered and any new matters raised are summarised below under the key headings used in these letters. Matters that were before the appointed officer when the original decision was made are not included in the summary below.

1. The Interested Parties Initial Statement to the Planning Review Panel

Objectors have requested all objections to previous applications for the site be taken into account in relation to this application and review.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

In an effort to halt the time required by everyone involved in considering these continuous unsuccessful applications for this site, we would like to set out alternative proposals for the site.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

2. Statements to the Applicants

Objectors want to ask the applicants when they are finally going to accept that their planning applications for the site are absolutely not acceptable to the majority of the community in Lochwinnoch.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

Objectors have stated that they are appealing to the applicants' better nature, to let the proposed development of this site go for their benefit and peace of mind as well as that of the objectors.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

3. Recent History of the site 1991-2023

In the early 1990's a person who has lived in Lochwinnoch for more than 30 years wanted to further develop the appeal site into a 'woodland garden', and up to present day has become naturally overgrown and has remained undisturbed for around 170 years. That person laid claim to the land and after 10 years of this claim being uncontested was advised that no further action was required. However, it appears that this advice was wrong and needed legal actions and, in the meantime, the applicant pursued her own claim for the land legally and was successful. The history of the site and historical objection to the development of this site should be taken into account. It is hoped to bring the plot back into public ownership where the community can manage it and keep it in a natural state, as it has been for the last 160 years, as a natural woodland garden, for the benefit of all in Lochwinnoch. This could be similar to what the LCDT are doing at Lochhead gardens, and ask RC for a Community Asset Transfer, to extend the plot with the council owner land to the rear of the garden. This is one of the last areas of woodland within the village.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

4. Objections and further Representations

Trees - Even although four trees, in bad condition, have been felled, the planning department still refused planning permission. If the applicants had been more proactive with better conservation of the ground conditions, soil, tree maintenance and management, these trees would never have needed felling.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

Certificate and Notes and the Land Ownership Certificate – Objectors state that they are not convinced that the appropriate land ownership certificate was completed on the first application for this site made by the appellants. Could the LRB clear this up.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

5. Examination/Representations on the Tree Report

No new matters raised.

6. Representations on the Notice of Review Document

The objectors note that the registered address of the appellant is in Clarkston Road, Glasgow. They wish to ask the LRB why this appeal should be granted when the appellants do not even live in Lochwinnoch anymore.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

The objectors would like to ask the appellants a list of questions on why they think they should now be given consent given the past refusals and past objections to the proposal.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

The objectors want to ask the appellants, why they accepted written representations and have not asked for a site visit or to present their evidence as part of any review. Is it because it's a very weak case.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

7. Representations/Objections to the Planning Appeal Statement

Objectors state that the appellants claim in their statement that they will sensitively care for and manage the trees on site by pruning back and getting rid of undergrowth and ivy etc yet on the other hand the trees remain in a deteriorating condition in need of care. Is this care and new growth only going to occur if the appeal is successful. Would the plot be allowed to become more overgrown and unmanaged requiring more trees to be felled if the appeal is refused.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

The objectors state that the lack of care and maintenance of the site by the appellants has been a very deliberate part of a very long-term plan to build a house on the site.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

8. Our Conclusions on the Planning Appeal Statement

Objectors state that as the appellants have never been able to build on the plot, they have never really been interested in caring for the site as it should be and could be cared for. They have only been interested in the site when/if they could build a property on it. Locals want to maintain the site and the trees within it.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

9. Objectors proposals for the site at 2 Johnshill, East End, Lochwinnoch.

It is stated that the community would like to care for this site and return it to a woodland garden. We as a community would approach Renfrewshire Council to ask about a Community Asset Transfer (CAT), for the site to the rear, in a similar manner to the way the Local Community Development Trust (LCDT) have sought one for Lochhead Gardens. They would also make enquiries in relation to the lane known as 'Skipper's Path' and the area of land on its left-hand side which has remained vacant for a number of years. This could be brought back into beneficial garden use, improving the general environment of the area. This would fit with Scottish Government legislation of June 2018; 'Community right to buy abandoned, neglected, or detrimental land (ANDL). The current appeal site would be a central and strategic part of these proposals to completely regenerate this whole area of the East End part of the village of Lochwinnoch and provide a teaching resource for the community on nature, flora, and fauna. These ideas should be important to the LRB consideration of this appeal.

Response - The local community's intentions for the site were not raised in the objections to the application. This matter is relevant to the development plan in that had this matter been raised it would have been responded to within the Report of Handling in relation to the site's local development plan designation.

10. Final Conclusions to this Paper for the LRB and HCG, of Further Objections and representations in relation to this Planning Appeal.

The objectors state that this appeal has highlighted the very unkempt nature that this important piece of land is in which is harmful to the health and longevity of the trees. They state that should the appeal be dismissed they would propose to enter into negotiations with the appellants to acquire this plot.

Response - While it is considered that this matter was not before the appointed officer, it is the appointed officer's view that this new matter does not raise a requirement or an entitlement to have regard to the development plan or any other material consideration.

Appellant's comments in respect of the Appointed Officer's response to Procedure Notice seeking further information

The appellant's agent has indicated via email that the appellant has no comment to make in respect of the Appointed Officer's response.



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

Proposal: Erection of a single-storey dwellinghouse and associated works
Location: at a site on the eastern boundary of No 2 Johnshill, East End, Lochwinnoch
Application Type: Planning Permission
Application Number: 23/0179/PP

This Procedure Notice is given to the following:

- (1) Paul Naughton
 Tree and Woodland Officer - Renfrewshire Council
 Cotton Street
 Paisley
- (2) David Johnston
 Flat 0/2
 174 Clarkston Road
 GLASGOW
 G44 4DN
The Applicant

At a meeting on 30 January 2024, Renfrewshire Council's Local Review Body (the "LRB") determined, in terms of Regulation 12 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (the "2013 Regulations") that the review documents before it did not provide sufficient information to enable it to determine the review of the above Planning Application.

The LRB noted that the applicant had provided further clarity of mitigatory measures in respect of the proposal relating to tree loss. Members of the LRB were of the opinion that they did not have sufficient expertise to assess these mitigatory measures and intimated that they wished to instruct written submissions from a person suitably qualified to make that assessment, for example the Council's Tree and Woodland Officer.



Finance & Resources
 Director: Alastair MacArthur CPFA
 Head of Corporate Governance: Mark Conaghan LLB (Hons) Dip LP
 Renfrewshire House, Cotton Street, Paisley PA1 1TT
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In accordance with Regulation 13 of the 2013 Regulations the LRB determined that the review should proceed by way of further written submissions and by means of an inspection of the land to which the review relates.

This Procedure Notice, which is given under and in accordance with Paragraph 15 of the 2013 Regulations, requires the Council's Tree and Woodland Officer to provide by no later than **19 February 2024**, a written submission to the LRB providing an assessment of the proposal and the revised construction techniques in relation to the potential impact on trees, specifically whether there would be a loss of trees as a result of the development or construction techniques or whether there would be an impact on the trees which would result in future loss of trees (the "Procedure Notice Response") and must, by the same date, provide a copy of the Procedure Notice Response to the Applicant.

The Applicant will be afforded a period of 14 days from receipt of a copy of the Procedure Notice Response to submit to the LRB written comments in reply to the Procedure Notice Response, and if doing so, must provide a copy of those comments to the Planning Authority.

All responses may be sent electronically to the following email addresses:

For the LRB: democratic-services@renfrewshire.gov.uk

For the Applicant: info@chgarchitecture.com

For the Planning Authority: paul.naughton@renfrewshire.gov.uk

Following receipt of the further information requested and any comments submitted, the review application will be submitted to the next available meeting of the LRB. Notice will be provided to all parties in receipt of this Procedure Notice detailing the date and time of the meeting in due course.

Our Ref: Tree Enquiry LRB
 Contact: [REDACTED]
 Telephone: [REDACTED]
 E-mail: [REDACTED]
 Date: 05/03/2024



Private & Confidential

Dear Mr Devine,

Please find below detailed summary of Neighbourhood Services recent attendance and inspection of Lochwinnoch trees upon your planning review request at LRB. Please note that this report is intended to provide a technical, impartial view on the proposed development in the area. The content of this document is the considered view of the service - Neighbourhood Services, and we hope this provides the information requested.

Attempting to build amongst the existing trees.

The proposed piling system is a plausible solution for minimising physical root damage to trees onsite, however, due to the immediate proximity of the adjoining trees the footprint of the building itself will likely deprive moisture from the underlying soil which in turn would be detrimental to the surrounding trees. It is likely that the root system beneath the building footprint would over time be starved of moisture and suffer nutrient depletion causing the affected roots to retrench. This would likely in turn incur loss of vigour and dieback onset.

Services are generally invasive so any gas / electric / fibre / water and waste routes will also likely be detrimental to the rooting zones. The majority to this design concerns the immediate rootzones of the adjoining trees. These do not appear to have been detailed at this stage of the development. Any form of trenching towards the footprint of this design would incur some form of root damage. Due to the recent felling works the wind exposure to the remaining trees on this site has increased. Any form of root damage to the more suppressed / top heavy or one-sided trees should be avoided in the interests of public safety.

Levelling the site to install the parking area would likely result in root damage to the adjoining trees. The removal of the existing fence line and erection of a boundary wall would also have a likelihood of causing root damage to the adjoining trees.

Overall, it is the view of the service and, after consideration of all of the above factors, support would not be given to approve the application in the interests of preserving the trees, biodiversity and habitat.

Best wishes,

[REDACTED]
 [REDACTED]



Environment, Housing & Infrastructure
Director: Gordon McNeil
 Council Headquarters, Renfrewshire House, Cotton Street
 Paisley, PA1 1BR
www.renfrewshire.gov.uk



Planning Appeal
Erection of Single Storey Dwellinghouse and Associated Works
Site On Eastern Boundary of No 2 Johnshill, East End, Lochwinnoch
Application No. 23/0179/PP
Supplementary Statement
22 March 2024

We have read the response from the Council's Tree & Woodland Officer and would comment further as follows:

The submitted structural engineering report details the various foundation options (with particular attention paid to the close proximity of tree roots) and recommends a system of Shire stabilisers or similar. These are small scale piles developed for the domestic market and do not require heavy specialist plant that could damage shallow roots.

It is noted that the officer states that the *"proposed piling system is a plausible solution for minimising physical root damage to trees onsite..."*

Attached herewith is information relating to a patented foundation system called Treesafe.

Treesafe is a foundation system that allows construction of residential or commercial structures close to, or within a Tree Root Protection Area (RPA). Treesafe is approved by Arboriculturists and prevents damage to tree roots in a number of ways. The attached brochure details the construction process.

The Treesafe foundation solution (and the Shire piling system) allow for air flow and water passage to the roots after the piling and foundation works are completed.

Attached is a case study of a Treesafe foundation solution in Illingworth, Windsor. The slab was suspended above ground level with a clear ventilated void. This approach allowed for air flow and water passage to the roots after the works were completed.

The specific foundation construction details will be submitted at Building Warrant/1st Stage approval.

We would suggest the following condition in the event that the Local Review Body decide to allow the appeal:

'That prior to the commencement of development, the applicant shall submit for the written approval of Renfrewshire Council as Planning Authority, a long-term Tree/Woodland Management & Maintenance Plan.

The Tree/Woodland Management & Maintenance Plan shall contain details on the monitoring of growth and condition of all retained trees within the application site boundaries, as well as all new trees planted.

Reason: To ensure that works are undertaken to a satisfactory standard in the interests of natural heritage.'

Improvements brought about by this development will contribute to an overall enhancement of the area whilst introducing the opportunity for long-term site management.



The tree friendly foundation solution



ABBAY PYNFORD



Treesafe is our patented foundation system that allows construction close to or within a tree Root Protection Area (RPA).

Benefits



Increased footprint - Treesafe creates the opportunity to increase the footprint of your site into RPA, allowing getting greater yield from your plot.



Cost certainty - By reducing the programme, prelims and eradicating the elements stated to the right, we can offer cost certainty for your project.



Faster - Treesafe is up to 70% faster than traditional methods and offers improved program certainty.



Safer - Treesafe has many features that enhance a safer environment on site, and comes with warranty provider approval: NHBC, Premier Guarantee and LABC.




Less environmental impact - Treesafe uses less concrete, requires less spoil removal, and significantly reduced vehicle and plant movement. Reducing the carbon footprint of your site.

Treesafe does not require the following elements:

- ▶ Piling mats (in 95% of projects)
- ▶ Excavations for ground beams
- ▶ Ground beam construction
- ▶ Pre-cast floor
- ▶ Sub-structure brickwork blinding within footprint
- ▶ Resources to manage the above





Treesafe is our patented foundation system that allows construction of residential or commercial structures close to, or within a tree Root Protection Area (RPA). Treesafe provides the opportunity to increase the yield of your site by allowing an increase in the footprint of your structure and/ or adding additional plots to your development.

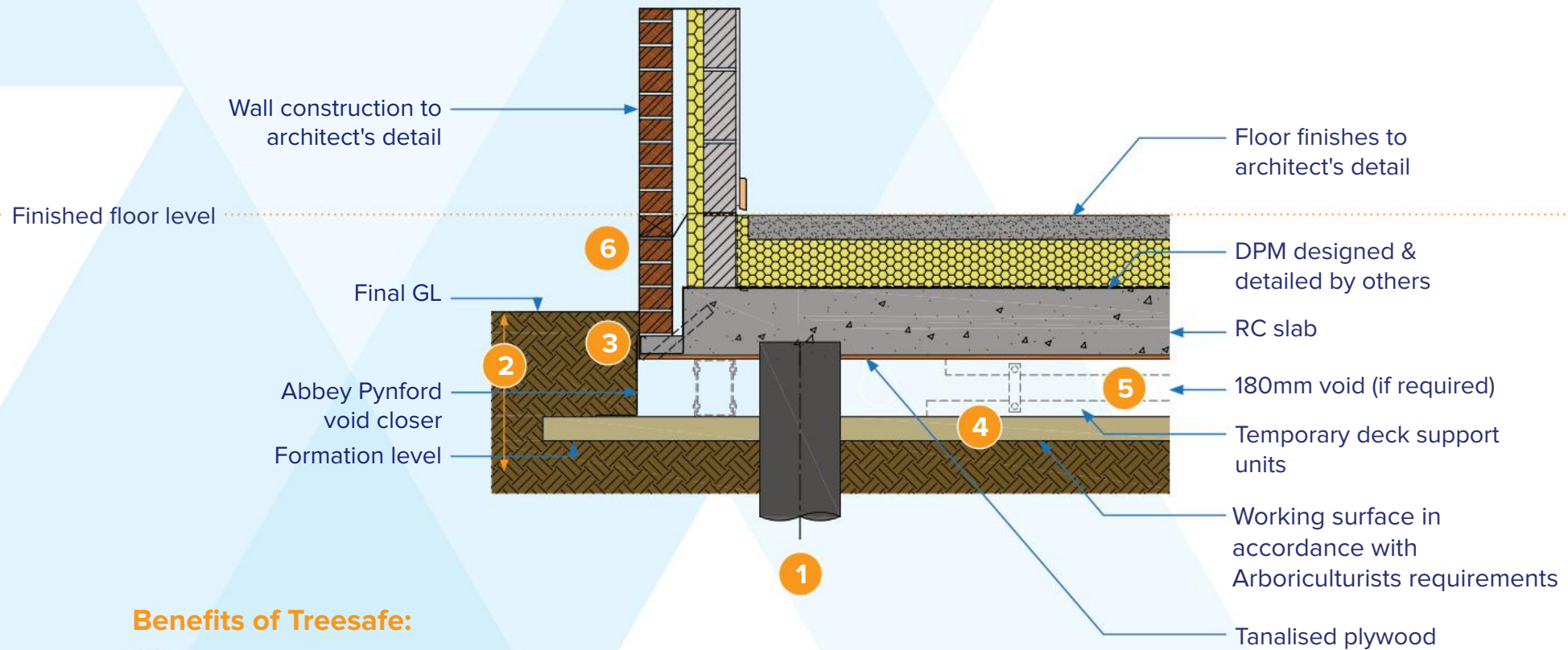
Treesafe is approved by Arboriculturists and prevents damage to tree roots in a number of ways. In preparation for piling we use air spades and hand augering techniques to identify any roots that may conflict with the proposed pile locations. If roots are present our in-house design team review and adjusted the design to accommodate them. We use a bespoke working surface to support our custom lightweight piling rigs, minimising excavation that could cause damage to tree roots. Each pile position is also sleeved, and further precautions are taken when pouring

the slab to prevent concrete leaching into the protected ground, that could cause harm to roots.

Treesafe can support a range of piling techniques, depending on ground conditions. We also offer alternative piling options, such as stone columns or reduced diameter piles.

Treesafe is a version of our Housedeck and Comdeck systems, both are BBA certified and warranty provider approved: NHBC, Premier Guarantee and LABC. All engineered solutions are fully underwritten.

Typical Treesafe detail_



Benefits of Treesafe:

- 1 Allows construction within Root Protection Areas.
- 2 Significant reduction in excavation.
- 3 Significant reduction in under build.
- 4 Bespoke working surface in place of piling mat.
- 5 Clear void to mitigate heave risk (if required).
- 6 No venting required.

Construction process_

Stages of typical slab build

Working within protected trees creates very site specific requirements. The Treesafe system is tailored to your site and specific arboricultural needs. The following covers some of our most common approaches, but not all.



Setting Out

We start by setting out the pile locations, as per the Abbey Pynford design. This takes place either directly on to the prepared ground or over a breathable geotextile membrane.



Bespoke Working Surface

Once setting out is complete a bespoke working surface is laid. We use three types of working surface: Cellweb (pictured), a concrete working surface (pictured) or granular mat. The surface type is dictated by the site requirements in conjunction with the Arboriculturist.



Hand augering

Hand augering is undertaken at all pile positions within the RPA. If roots greater than 10mm diameter are found, our in-house design team re-analyse the slab. A new pile position is proposed and re-augered. Once all positions are confirmed to be root free, piling can commence.



Piling

The piles are driven using our custom made light weight rigs, which can be supported by the bespoke working surface. This prevents the need for deep excavation for a piling mat, which would cause root damage. Each pile is then sleeved to prevent concrete leaching into the RPA.



Drainage & Services

After the piles are trimmed to cut off level the drainage and services are installed. This can be done by us or the client, project dependant.



Deck Support Units

Our patented temporary Deck Support Units (DSU) are laid out to create the void, upon which the raft will be built.



Edge Shuttering & Fix Reinforcement

Next, our patented edge system is installed on plywood, followed by the steel reinforcement to create the raft.



Concrete pour

Once final levelling is complete the concrete is poured, taking precautions to prevent concrete leaching into the RPA.



Finished structural slab

Once the slab is cured a membrane will be attached to prevent materials entering the void.

The finished slab is ready for trades on average 5-7 days after the concrete pour.

About us_

At Abbey Pynford we provide a more integrated approach to our services, offering a one stop shop to commercial contractors and private developers. Founded in 1988, Abbey Pynford Group has 30+ years of industry experience to support you through your project.

We offer a wide range of services ranging from our patented engineered foundation systems, various types of piling and underpinning.

We have our own in-house design team comprised of Structural and Geotechnical Engineers, providing underwritten design solutions across all our services.

We also have our own plant hire business providing specialist and bespoke equipment to the group and wider external market.

Our ethos is to provide a fully integrated service for our customers, providing support from conception through to construction. We always seek to provide the most cost-effective solution for your project, through innovation, product development, and a wealth of experience gained from 30+ years working in the industry.

Our services_

HOUSEDECK 

COMDECK 

TREESAFE 

FLOODSAFE 

PILING 

UNDERPINNING 



Health & Safety, Quality & Environmental Overview_



Certified H&S management system.



Certified H&S, Quality & environmental management system.



Home Builders Federation members.



ASUC founding members. Assured professional & technical competence.



Certified quality management system.



Certified quality management system.



Assured sustainability & H&S procedures. Certified quality audit beyond IOS 9001.



Backed quality assured SSIP scheme.



Certified H&S management system.



Backed quality assured SSIP scheme.



We send less waste to landfill by reducing dig and spoil removal with our foundation solutions.



We use less concrete with our foundation solutions than traditional techniques.



Through our reduced vehicle and plant movement we produce significantly less CO₂ emissions.



Treesafe offers a tree friendly way to build in Root Protection Areas. Approved by Arboriculturists.



We have 30+ years industry experience to support your project.



In-house design team and all designs and engineered solutions are fully underwritten.



Certified H&S, Quality & environmental management system and insurance.



Certified quality management system.



IMS Certified H&S, quality & environmental management systems.



Constructionline Gold members.



Certified quality management system.

Our commitment to you_

- ▶ You will receive the same **attention and quality of service** whether you are a small developer or corporate builder.
- ▶ We will provide you with a fully documented **proposal within two weeks** after receiving all required information.
- ▶ Our dedicated in-house design team, using the latest software finite element analysis, ensures that **each project is value engineered**.
- ▶ We will always **operate in the best practice**, complying with health, safety and environmental legislation.
- ▶ We promise to **serve in your best interests** and if we believe that one of our foundation systems is not the most appropriate scheme for your needs, we will advise you accordingly.

Our clients_

“ The Treesafe product is such a simple but effective method. From design through to completion Abbey Pynford offer a second to none service with excellent health and safety. ”

Colm O'Boyle, Surveyor, T&B Contractors



“ Abbey Pynford's system is the complete package offering a straightforward fully designed solution, saving us money and 6 weeks from our original programme. ”

Nick Jude, Construction Manager, Willmott Dixon



WILLMOTT DIXON

“ We have used Housedeck before and as usual this project ran very smoothly and was completed swiftly. Both the piling crew and the slab crew were excellent – nothing was too much trouble for them and the site was kept clean and tidy throughout. ”

*Tony Draper, Architect & Project Manager,
Carrington Fox*



carrington fox

“ Abbey Pynford worked fantastically well with us. Through solid communication and collaboration the construction has been a success. I would strongly recommend them for future projects. ”

*Sam Kemp, Project Manager,
Morgan Sindall Construction*





Abbey Pynford

2-6 Bilton Way

Luton

LU1 1UU

t 01442 212112

e info@abbeypynford.co.uk

abbeypynford.co.uk





ABBNEY PYNFORD



Illingworth_ Windsor

Value: £49,000

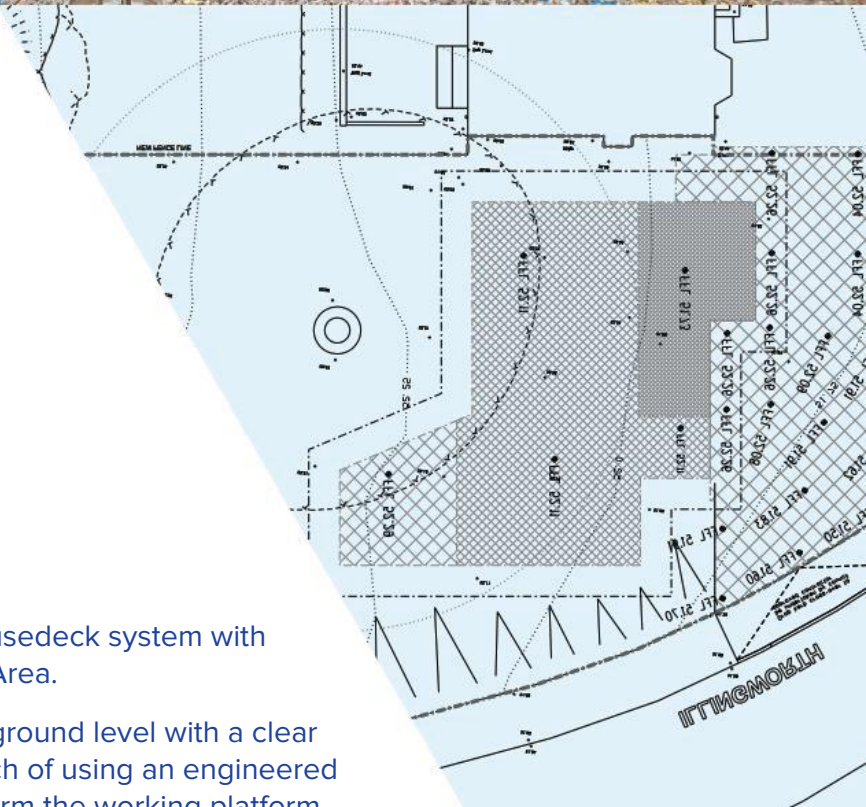
Size: 114m²

Duration: 6 weeks

Rig: Kitten mini-rig

Scope of work:

- ▶ Our brief was to design and install our Housedeck system with part of the site within a Tree Root Protection Area.
- ▶ The slab had to be suspended above the ground level with a clear ventilated void. Instead of our typical approach of using an engineered working surface, we used natural stones to form the working platform. This approach allowed for air flow and water passage to the roots after the works were completed.
- ▶ To ensure the tree roots were not damaged during the piling phase all piles were manually pre-augered and a number of piles were relocated to avoid clashes with existing roots.
- ▶ The site was also sloping, so some intricate profiling had to be introduced to the slab to suit the external ground levels, such as steps and downstands.



Get in touch to discuss your project requirements:

e: info@abbepynford.co.uk

t: 01442 212112

abbepynford.co.uk



APPELLANT'S SUBMISSIONS



Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 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 100623060-004

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:	AXN Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ciaran	Building Name:	Twenty
Last Name: *	Bradley	Building Number:	
Telephone Number: *		Address 1 (Street): *	Middlepenny Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Langbank, Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	PA14 6XB
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="Mrs"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="Undercraig Cottage"/>
First Name: *	<input type="text" value="Linsay"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="de Freitas"/>	Address 1 (Street): * <input type="text" value="Old Greenock Road"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Langbank"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PA14 6YS"/>
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

Site by Galahill Road South of Old Greenock Road.

Northing	<input type="text" value="672254"/>	Easting	<input type="text" value="237540"/>
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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 and Livestock Barn (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 see attached response to interested parties comments 23-0158-PP

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)

Response to interested parties comments (appeal statement), Letter of support from Abbey veterinarian Group, SAC Open letter to planning Officer, Appellants (applicants) comments

Application Details

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

23/0158/PP

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

28/03/2023

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

20/09/2023

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

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 Ciaran Bradley

Declaration Date: 11/12/2023

Statement of appeal :

RESPONSE TO INTERESTED PARTIES' COMMENTS 28th November 2023

Appeal to Renfrewshire Council

Application: **23/0158/PP**

Decision date – 18th September 2023

Released to applicant on 2nd October 2023 (Effective decision date)

Appeal Against the Decision of the Planning Officer to refuse an application for Planning Permission in Principle for the Erection of detached dwelling house and livestock barn at Undercarig farm, by Galahill road , Langbank, PA146YS

Prepared by: Ciaran Bradley B.Sc. BArch. RIAS ARB
Director – AXN Architecture Ltd.

Supporting further documentation attached:

- Abbey Veterinarian group Undercraig support
- Appellants comments
- SAC consulting Open letter to planning officer

Further to the receipt of the planning officer's response to the above Review, we make the following comments on behalf of our client.

As a general point the Planning Officer's observations takes an extremely narrow and impractical view of the applicants evolving family situation in relation to existing suitable accommodation, oversimplifies the availability of suitable useful accommodation 'nearby' and significantly understates the need for the applicant to be present on site for her labour intensive and unpredictable livestock and experience business.

Additional supporting letters from ABBEY VETERINARIAN GROUP, SAC consulting and further comments from the applicant attached, clarify the applicants urgent need to move from the three bedroom parental home on site with her own growing family, whilst moving to suitable, appropriate accommodation on site that allows the applicant and her family to remain on site and tend to her growing business.

In terms of specific comments, we comment as follows.

Please note that there is no numbering of the Planning Officer's observations or pages, however we have referred to their paragraph numbering and added page numbers for ease of referring to responses.

Paragraph 2(page 1)– this paragraph speaks clearly in support of the application; Stating applications will only be supported if they are for "required residential accommodation" for a "key worker" in a "primary industry" where the presence of a worker is essential to the operation of the business. The applicants growing family (now with husband and child) that were not present at inception of the business, continuing to live in the 3 bed parental home shared with her sister, is simply no longer suitable. The fact this is now unsuitable must be recognised.

The applicant as business owner for some 4 years now and primary worker is the key worker in a primary business where her presence on site is required at unpredictable times

as noted by both Abbey Vets and SAC consulting letter of support. This will become increasingly important as the business grows.

Paragraph 3 and 4 (page 1) Policies 16 and 17 of NPF4 refer to limited circumstances where new dwellings will be supported where “it is demonstrated to be necessary to support sustainable management of available rural business and there is an essential need for a worker to live permanently at or near the place of work” this is clearly and demonstrably the case for the applicant

Paragraph 5 (page 2) re policy ENV1. Reiterates the need for a development to support an established activity. This clearly supports the applicants application. The particular evolution of the business on land the applicant owns in a place she grew up and developed the business on and within, supports the specific locational and operational need for the business and supporting accommodation to be in this particular location.

Paragraph 7 and 8 (page 2) makes the points that the applicant already lives on site, that the applicant is seeking additional accommodation to expand the business and that no policy provision is made for the splitting of a family unit in currently suitable accommodation.

This narrow view simplifies and overlooks the urgency and impracticality of the current accommodation situation and need for appropriate accommodation on site. The parental home on site is no longer suitable for 2 families and the evolution of a family, the need to leave the parental home would not be regarded as splitting a family. Additionally the requirement is not only to facilitate the business expansion, it is to support the natural expansion that is already occurring.

The planning officer appears to be taking a dim view of an enterprising young business persons’ attempts to settle and grow a rural business whilst providing independent and appropriate suitable accommodation for the growth of her family, business and local community.

Paragraph 9 (page 2) – The comments here belittle the SAC consulting labour requirement assessment and the applicants’ and Abbey VETS assertion that this labour requirement is required on site. The application and consultants are the experts in this regard. The comments also reiterate that the applicant already lives on site and that settlements nearby could “reasonably” accommodate the applicant.

Again this simple view overlooks the urgent need for the applicants growing family to leave the small parental home and be accommodated near to the livestock and growing business. ‘Nearby’ accommodation is expensive, unavailable, increase stress on Applicant and livestock, and severely increase risk to livestock due to unsuitable supervision and emergency care when required.’ Nearby’ overlooks availability, cost and the convoluted back roads networks that would leave the applicant remote and distant from her livestock at the unpredictable times she is required to tend to them,.

Paragraph 10 (page 2) clearly supports the labour requirement and activity of the business in this locational

Paragraph 11 (page 2) again states there is no justification for additional accommodation and that no site specific operational requirement has been established. This very simplistic

view ignores the fact that the applicant owns land and a business in this location, that she and her family with new husband and baby cannot live in the parental home indefinitely and that site specific operational need has been clearly established by expert consultants.

Paragraph 12. page 2 The comments acknowledges periodic “rigorous demands” for an on-site presence , however belittles this to not be a constant throughout the year and that the applicant already has a presence on site.

The comments take no cognisance of the unpredictable and labour intensive nature of the work as outlined in the SAC report and supported by Abbey Vets. whilst the planning officer asserts the operation on site requirement can be achieve by remote accommodation in settlements within reasonable proximity, this is not the view of the applicant who cannot operate a labour intensive and unpredictable livestock business remotely.

Paragraph 13 page 3 states that no relevant policies support this application. However it is the opinion of the applicant, SAC consultants, the applicants VET (Abbey Vets) and the business growth data in support of the application that this is precisely the type of application that Renfrewshire council should rally behind in support of young family determined to grow a business in support of the local community. The application for planning permission in principle for a home and barn is exactly what is required to facilitate and help the applicants’ family and business to flourish and thrive in a location where they have grown and positively contributed to throughout their life.

-

- **Thorough Cleaning:** Start with a deep clean of mats, equipment, and surfaces using strong antifungal cleaners. Suggest this is after every session. Suggest creating a volunteer schedule using a 1st choice 2nd choice 3rd choice option for who will mop the mats. Appoint volunteer members to run the schedule. Ensure enough mops and hot water available.

Suggest requesting a one off voluntary payment to the club of say £10- £20. to buy signage , enhanced cleaning materials and initial purchases of sample soaps and wipes to be handed out.

Planning application 23-0158-PP – APPEAL

Planning application 23-0158-PP was refused for the following reasons:

The proposed development does not comply with Policies 8, 16 and 17 of National Planning Framework 4 or Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2022 and the New Development Supplementary Guidance on Housing in the Green Belt as the business owner already resides at the site, and a site-specific operational need for the dwelling has not been demonstrated.

Rebuttal to these reasons for refusal will be given under the following headings;

- 1. Business owner already living on site**
- 2. Site specific operational need for dwelling**
- 3. New development in the countryside 2022**
- 4. LDP new development supplementary guidance 2022**

Whilst addressing the reasons above for refusal, the following policies will be addressed;

- Policy 8
- Policy 16
- Policy 17
- Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2022
- New Development Supplementary Guidance on Housing in the Green Belt

1. Business owner already living on site

The Business owner and applicant, Lindsay de Freitas, has lived at Undercraig Farm her entire life. In 2019 Lindsay decided to start her own business on the family farm and has since reinvested and grown it into the success it is today. Currently, Lindsay finds herself having built her business on the family holding, diversifying to directly connect with tourism, healthy living and providing opportunity for access to the countryside. Over this time Lindsay has gotten married and started a family. Along with the challenges of farming, being a female in agriculture and balancing a work life balance in this challenging industry, she has had to move her husband into her family home to allow them to bring up a family as well as run a successful business. Living on the farm is the only option to continue to run Larch Green Alpacas due to the nature of the business; day to day activities, responsibilities, welfare and security of the livestock. With an established breeding program up and running and a view to expanding the herd to allow more visitors, it is vital to be present throughout the year.

Although the current living situation is not ideal for raising a newborn and beginning a new family, the proposal is business focused, merely complementing the current family situation. The applicant is currently residing in a 3 bedroom family home alongside her parents and her sister whilst trying to raise a family with her husband and newborn daughter. Lindsay, regardless of this has continued since creating her business to scale it with a view to increasing its exposure and integration with the community. The business often engages with local universities, colleges, primary schools, additional needs educational establishments as well as care homes and running kids' clubs on the farm.

SAC report - An agricultural labour requirement report completed by SAC was presented to planning. SAC is an internationally recognised body who advises businesses, individuals, and governments alike on all subjects agricultural. Their report was completed on the conclusion of an in person, on site lengthy assessment of all aspects of the business. It is acknowledged there is no recognised standard for alpacas and the assessment for goats has been used instead. This is because Alpacas have not been as popular as other livestock until recently. This is changing and can be demonstrated in the changes in the law; Dogs (Protection of Livestock) (Amendment) (Scotland) Act 2021. This amendment in 2021 came to recognise Camelids (alpacas) as Livestock affording them the same protection as other more commonly farmed livestock such as cattle, sheep, swine etc. This should be treated as an indicator of where this industry is going, and the significance of the SAC report should not be underestimated. In the SAC report this is addressed and confirms that although 1.7 labour units have been assessed on goats, it is highly likely should alpacas be recognised within the labour report in the future the labour unit would be much higher due to the nature of their care and the business activities. Although recognised not to solely be justification for a dwelling house, the scale of the business, ongoing growth and its requirement for commitment and continued presence on the farm is clearly demonstrated. SAC indicates in their report that to run the business in its current state it would take almost two people employed full time. The established breeding program along with other ongoing business commitments requires that a presence is kept on the farm at all times, there is no mention in planning policy that stipulates a trigger for the consideration of how much time is required to be spent on a farm when ongoing breeding is taking place therefore I would defer to the SAC report and the applicants own experience which indicates an all year round presence is needed. Put simply breeding livestock is not a part time activity.

Alternative accommodation - The refusal mentions other accommodation nearby should be considered. This is not supported by planning policy. To consider other accommodation nearby would substantially increase the applicant and her families carbon footprint due to resulting in constant trips by car to and from the farm. Policy fourteen states consideration should be given to reducing car dependency, policy one and policy five also refer to considering the global climate crisis, the suggestion that the solution is to increase carbon emissions to avoid building a new dwelling goes against planning policy in these circumstances. Policy sixteen and seventeen refer to considerations regarding affordable homes and local living and keeping people in the countryside, the refusal suggests buying a home in the village nearest to the proposed location however this would require a substantially larger financial investment than the proposed construction of a new dwelling as well as the already mentioned increase in carbon footprint. Lindsay has lived and worked on the farm and in the countryside her entire life and the suggestion of moving away from the farm and countryside because she already lives nearby to the proposed site is not supported by planning policy. Lindsay's business is thriving and this is because of her continued efforts and commitment and the amount of time she is required on the farm.

2. Site specific operational need for dwelling

The proposed location has been selected for very specific reasons which benefit the environment, community, business, and welfare of the valuable livestock. The location is specifically located near to the current operation. The proposed location has been selected as the location of the planned intensified breeding program; the continued success of the business relies on increasing the herd. The tourism aspect of the business entirely relies on Macho (male) Alpacas used for trekking due to their nature. In the absence of Hembras (female) Alpacas, Machos are placid and easy to train, curious around people and gentle by nature. Hembras are known to be standoff alpacas, they would prefer little interaction and are not easily trained. For this reason, all aspects of the tourism business make use of exclusively Machos. Hembras are only used for producing and their presence nearby to Machos can have extremely detrimental consequences to the business. Machos who sense the presence of Hembras or have frequent interactions with them can become violent, boisterous, and impossible to handle. This would pose a substantial amount of risk to the business allowing visitors to handle Machos in this state. The location of any increased breeding program must be located away from any current Macho herd to continue involving tourists handling of them safely. The proposed location is the furthest away location from the current Macho heard, who are located conveniently near to established parking for visitors and the main carriageway for maximum exposure to passers-by. The proposed location is out of sight of any Macho herd and would allow for any weaning Cria (baby alpaca) to take place without incident. The proposed dwelling is situated beside the livestock barn for the reason it will be treated as a maternity unit, allowing for instant support pre and post-partum to the Hembras as well as constant monitoring and additional support of any Hembras and Crias.

The location is the only relatively flat part of this parcel of land, this is beneficial as any construction would require minimal groundwork and disruption. The location has also been proposed due to its proximity to an existing road network, this is beneficial as it would require very little scarring to the land for access, it is noted there were no objections reported by the road's development officer. The location is secluded, utilising existing tree lines to mask it. The proposed location is situated near to an established power source and private water supply reducing the need to implement this moving forward. The location in the past has been the scene of multiple crimes, youth disorder and suspicious activity. The creation of a dwelling and continued presence at this location would greatly increase the safety of the nearby national infrastructure; radio masts, decrease the continued degrading of a historic monument nearby; world war two gunning establishment, discourage unauthorised dumping of waste and illegal use of the roads by persons driving under the influence and using illegal motorcycles and quad bikes.

The proposed location is also on land owned specifically by Lindsay, not her family.

3. New development in the countryside 2022

New developments will only be supported where they demonstrate diversification within green belt and rural areas and promote new employment, tourism opportunities or community benefits, which are compatible with and do not have an adverse impact on the character of the green belt. The development plan framework noted within policy ENV 1 with the weight of any test put on the quality and rural character of the area.

This new development which is proposed seeks to continue to diversify the farm, promote new employment and tourism opportunities all while supporting local economic growth allowing visitors to the area to have more to do and see and will have no adverse impact on the character of the greenbelt. With all consideration to the above the development fits within the criteria for consideration ensuring there is no detracting from any quality of the area the development seeks to increase its quality.

Lindsay currently employs and has a volunteer programme including volunteers working towards their 'Duke of Edinburgh' levels, and retired people who enjoy being in the countryside. She is looking to take on more as the business progresses.

4. LDP new development supplementary guidance 2022

Tourism - is an important element of the economic, social, environmental, and cultural well-being. This proposal seeks to provide an opportunity for an existing business to continue to grow and offer more to any visitors to the area, contributing to local economy, complementing existing facilities with no detrimental impacts. The proposal seeks to bring the people of Scotland and further afield into the countryside to celebrate the heritage of the Scottish countryside. With the increase in breeding there is an opportunity to further link in with schools, universities, and other educational establishments as well as visitors with a view of increasing exposure to the husbandry side of the business. The location benefits from a nearby train station given visitors the opportunity to commute by train as well as on-site parking for cars/buses. It is demonstrated by the lack of concerns reported by the roads department that the location and road network is suitable for the proposal and as mentioned above the on-site already implemented water/electricity facilities compliment the proposed location.

Greenbelt development - It is demonstrated by way of the breeding program that the proposal is required in the location it is proposed. Supporting an established activity out with the nearby settlement. The proposal seeks to complement the surroundings and enhance the proposed location.

ABBEY VETERINARY GROUP

71 Canal Street
PAISLEY PA1 2HP
Tel: 0141-887 4111
Fax: 0141-887 0813

54 Murdieston Street
GREENOCK PA15 4HU
Tel: 01475 721155
Fax: 01475 787511

17/11/23

Re: Undercraig Farm Planning Application, 23/0158/PP

Dear James Weir,

I am the vet involved in the care of the alpacas at Undercraig Farm, and am writing to support Linsay's application for living accommodation on site to allow for her to care for her alpacas efficiently.

Looking after alpacas can require a lot of monitoring and potential intervention to take care of the alpacas properly. As Linsay breeds her alpacas, this can require even more time, especially the new born crias. Some examples of these requirements include:

- the careful monitoring of the mother alpacas for signs that they are getting close to birth so any complications can be noticed and acted upon promptly
- monitoring the mothers after birth for early signs of illness
- checking the new born crias regularly, and giving any medication or assistance to ill crias. This needs to be done around the clock at regular intervals. Over the past 2 breeding seasons there have been ill crias which have required round the clock supervision – living on site would allow for this to be done effectively
- Minimising stress on pregnant alpacas is important to support the pregnancy. Female alpacas become aggressive towards male alpacas, so these need to be kept separately. As Linsay has an established alpaca trekking business (with male alpacas used for the treks), it is important for the females to be housed away from the males, and this area should be safely away from the established routes used for the treks.
- From a safety point of view, having the farmer living on site near to the housed animals acts as a deterrent for members of the public coming to look at the animals and potentially stressing them. Also, the farmer will often hear if any disturbances occurring within the sheds and be able to intervene quickly ensuring the safety of the animals

I believe Linsay living on site will allow her to take care of her alpacas to the standards required of her. If she had to live elsewhere, the above points would become impractical, and cause stress to Linsay to try to provide adequate care as she would, understandably, be concerned about the welfare of the animals under her care.

I hope this helps you process the application,
Yours sincerely,



Camilla McNutt BVMS MRCVS

Abbey Veterinary Group is a trading name of VetPartners Practices Limited, Registered Office: Leeman House, Station Business Park, Holgate Park Drive, York YO26 4GB Registered in England: 10084952 VAT Registration No. GB 228 9288 65

Planning Officer
Renfrewshire Council Planning Department
Renfrewshire House
Cotton Street
Paisley PA1 1WB

Our Ref: CB/LM LGA Electronic Copy
29 November 2022

Dear Sir/Madam

Re Linsay Mitchell, Undercraig Farm, Langbank Planning Application

I first met Linsay Mitchell in April this year when she contacted me with regards carrying out an Integrated Land Management Plan (ILMP) for Undercraig. An Integrated Land Management Plan is a Government Funded scheme that allows farmers to:

“Take advantage of government funding to create a sustainable and profitable future for your farm or croft”. An Integrated Land Management Plan (ILMP) is your pathway to a sustainable and profitable future. Setting out your vision for your farm or croft, it provides a clear, achievable, step by step action plan that will take you there”.

(www.fas.scot/integrated-land-management-plans-ilmps/)

When I met Linsay at Undercraig, in addition to her request to carry out an Integrated Land Management Plan to look at other options/enterprises that could be incorporated into her business plan; she also wanted to commission a Business Efficiency report to ensure that she was maximising the overall efficiency of her existing business from a technical, financial and an environmental perspective. She also requested that a carbon audit and mitigation report be prepared to establish the business’s carbon footprint and wanted to seek advice as to how to mitigate emissions going forward.

Throughout the ILMP process Linsay had a clear commitment to establishing Undercraig as a practical sustainable ecologically focused working farm that could provide a living for herself, to the extent my conclusion stated:

‘Despite the difficulties over the past two years caused by the Coronavirus pandemic, Linsay has created a unique and very successful business. By diversifying into alpaca trekking enterprise, the business has returned far greater profits than would have been possible from traditional livestock enterprises. The business would not be viable if it was reliant on the income from simply farming alpacas for their fibre production’. June 2022

As a farm and rural business adviser, I am often contacted by young farmers and new entrants who simply want to know what start-up grants they can access, and quickly lose interest in a career in farming when they discover that, in the current climate, there aren't any. In contrast, Linsay has worked hard to establish her business without Government support and her business has flourished when many businesses failed due to the covid pandemic lockdowns. Not only that, her business is attracting visitors and tourists from far and wide, and will thereby, be helping Renfrewshire to meet one of its key economic themes in the 2021 Local Development Plan (LDP) of developing '*Renfrewshire as a visitor destination with plans in place to increase visitor numbers by 4% each year*'.

Linsay has designed the 'open space' offered at Undercraig farm so that it aligns with the LDP Policy No 6 - Open Space '*to meet the access and recreational needs of people of different ages and physical abilities contributing to health and wellbeing across Renfrewshire*'. The facilities offered at Undercraig farm are inclusive and not only offer local visitors and tourists the opportunity to spend time outdoors, but meeting the alpacas up close and personal, provides a genuine boost to mental health that no other farm animal or farm enterprise can provide.

As part of the Integrated Land Management process, following the recent purchase of a woodland adjacent to the farm, Linsay also took up the opportunity to meet with an SAC Forestry Advisor, Sergei Kozitski to not only expand her knowledge of woodland management but also to provide her with the knowledge to educate visitors, nursery and school children and tourists to Scotland on its contribution to tackling the challenges of climate change.

Over the 34 years that I have worked as a Farm and Rural Business Consultant for SAC working throughout Scotland, I have been asked on a regular basis to draw up business plans for farmers and crofters seeking to build a house on their land. While many do not meet the planning criteria of sustainability and the ability to provide full-time employment for one person on the farm; Linsay's business model does. Due to the success of her business, this year, she has also been able to meet another of the Renfrewshire Local Development plan aims of providing '*employment opportunities for local residents*' as she has provided work for local people, both young and old, who had otherwise struggled to find work in the area, which is to be commended.

If you require clarification of any of the aspects covered in this letter or require any further information, please do not hesitate to get in touch.

Yours sincerely

Christine Pearson

Senior Rural Business Management & Economics Consultant

Correspondence Address & Contact Details

SAC Consulting
2 Technopole Centre
Bush Estate
Penicuik
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EH26 0PJ

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Supporting sustainable growth

SAC Consulting is part of Scotland's Rural College (SRUC)

This and other documents can be made available in other formats such as large print and/or community languages on request. If you would like a translated copy, please contact the author with the details of the format/language required.

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My Ref:
Contact: James Weir
Telephone: 07483 370666
Email: dc@renfrewshire.gov.uk
Date: 20 September 2023



Ciaran Bradley
AXN Architecture
Twenty
Middlepenny Road
Langbank
PA14 6XB

Proposal: Erection of dwellinghouse and livestock barn (in principle).
Location: Site 500 Metres South West Of Undercraig Farm House, Galahill Road, Langbank, ,
Application Type: Planning Permission in Principle
Application No: 23/0158/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. 23/0158/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

Mrs Lindsay De Freitas
Undercraig Cottage
Old Greenock Road
Langbank

PA14 6YS

With reference to your application registered on 28 March 2023 for Planning Consent for the following development:-

PROPOSAL

Erection of dwellinghouse and livestock barn (in principle).

LOCATION

Site 500 Metres South West Of Undercraig Farm House, Galahill 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: 18 September 2023


Signed
Appointed Officer
on behalf of Renfrewshire Council

Ref. 23/0158/PP

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposed development does not comply with Policies 8, 16 and 17 of National Planning Framework 4 or Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2022 and the New Development Supplementary Guidance on Housing in the Green Belt as the business owner already resides at the site and a site specific operational need for the dwelling has not been demonstrated.

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: 23/0158/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd: 5 April 2023
Applicant	Agent	
Mrs Lindsay De Freitas Undercraig Cottage Old Greenock Road Langbank PA14 6YS	Ciaran Bradley AXN Architecture Twenty Middlepenny Road Langbank PA14 6XB	
Nature of Proposals Erection of dwellinghouse and livestock barn (in principle).		
Site Site 500 Metres South West Of Undercraig Farm House, Gallahill Road, Langbank,		
Description <p>This application seeks planning permission in principle for the erection of a dwellinghouse and livestock barn on grassland accessed from Gallahill Road to the south west of Langbank. The dwellinghouse and barn would be associated with a business called Larch Green Alpacas who currently use the grassland to keep alpacas. The business also breeds alpacas, and offers guided walks. The applicant is the owner of this business, and they currently reside in Undercraig Farm approx. 500m to the north of the site.</p> <p>The site is located on elevated ground overlooking the River Clyde. It is bound by woodland to the east, Gallahill Road to the south west, and grassland to the west and north. The site is approx. 1.15 hectares in area. The indicative plans submitted with the site indicates that the dwellinghouse and barn would be positioned along the eastern side of the site adjacent to the woodland, with access via Gallahill Road. The application site is located approx. 1km south of Langbank, whilst Kilmacolm is located approx. 2km to the south-west and Bishopton 5km to the east.</p>		
History <p>No previous applications.</p>		
Policy and Material Considerations <p>Legislation requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the proposal must be assessed against the following:</p> <p><u>Development Plan</u></p> <p>NPF4: Policy 8 - Green belts NPF4: Policy 16 – Quality homes NPF4: Policy 17 – Rural homes LDP 2021: Policy ENV1 - Green Belt</p>		

<p><u>Supplementary Guidance</u></p> <p>Delivering the Environment Strategy</p>
<p>Publicity</p> <p>An Advert was placed on the press on 26 April 2023 for the following reason; Neighbour Notification.</p>
<p>Objections/Representation</p> <p>None received.</p>
<p>Consultations</p> <p>Chief Executive's Service (Roads Development) – No objections subject to conditions relating to provision of sight lines, configuration and surfacing at the access, and layout of any gates</p> <p>Communities & Housing Services (Environmental Protection Team) – No comments.</p> <p>Informative to be added: None</p>
<p>Assessment</p> <p>National Planning Framework 4 (NPF4) provides the long-term national spatial strategy for planning in Scotland. It sets out the Scottish Government's current view on delivering sustainable, liveable, and productive places through the application of spatial principles. Policies 8, 16 and 17 of NPF4 and Policy ENV1 of the adopted Renfrewshire Local Development Plan (LDP) are relevant to the assessment of this application as they set out specific circumstances in which new residential accommodation will be supported in principle in green belt and rural areas.</p> <p>Policy 8 of NPF4 states that development proposals will only be supported if they are for residential accommodation required and designed for a key worker in a primary industry within the immediate vicinity of their place of employment where the presence of a worker is essential to the operation of the enterprise, or retired workers where there is no suitable alternative accommodation available.</p> <p>Policy 16 of NPF4 states that proposals for new homes on land not allocated for housing in the local development plan will only be supported in limited circumstances. This includes when the proposal would be consistent with policy 17 on rural homes.</p> <p>Policy 17 of NPF4 states that development proposals for new homes in rural areas will be supported where the development is associated with one of several different scenarios. This includes where it is demonstrated to be necessary to support the sustainable management of a viable rural business and there is an essential need for a worker to live permanently at or near the place of work, or the development is for a single home for the retirement succession of a viable farm holding.</p>

Policy ENV1 of the LDP and the associated guidance on housing in the green belt states that the development must be justified against the majority of the assessment criteria. This includes that 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, and that it is demonstrated that there is a need for the residential use to be located outwith a settlement.

The supporting information confirms the scope of the business and the nature of the activities undertaken. The business was established in 2019, and includes alpaca trekking and events, wool production, associated alpaca gift shop, a breeding programme for the alpacas and a livery yard for horses. The supporting information also sets out the anticipated expansion of the business over the next 5 years.

The owner of the business already lives on site at Undercraig Farm with other family members and it is asserted that the current arrangement is untenable, and that the vision for the expansion of the business cannot be achieved while the owner still lives in the family accommodation. Separate accommodation and additional livestock barn are therefore sought to ensure the expansion can be realised.

However, the connection between the separate accommodation requirement being a prerequisite for further expansion of the business has not been sufficiently demonstrated. The owner already has a presence on site, and this arrangement could be maintained alongside any expansion of the business. Additionally, and notwithstanding this the provision of additional accommodation to facilitate the splitting of a family unit is not referred to as an acceptable justification for a new dwellinghouse in any of the policies mentioned above.

The application is also supported by a Labour Requirements Report. The report calculates that the labour requirements associated with the business is 1.7 units. This would suggest that the business has a requirement for over one and a half full time labour units. It is noted that as there is no nationally agreed standard for an alpaca enterprise the standard for goats has been used instead. Notwithstanding, a labour requirement does not justify the need for residential accommodation at this location. A robust site specific operational requirement must be demonstrated for the erection of dwelling to be supported at the site and it is noted that the applicant already currently resides nearby 500m to the north of the site. Furthermore, there are several settlements and residential areas within reasonable proximity that would also allow for other accommodation options to be taken up by the applicant.

It is accepted that the business enterprise aspect is acceptable within the green belt. The requirements of the business with respect to the labour units are noted, as are the activities specific to the breeding of alpacas and the offer of trekking and other experiences.

While the nature of the current residential accommodation may not be the preferred choice for the owner, this does not justify the requirement for additional and separate residential accommodation from which the owner could undertake the same tasks as at present. Furthermore, no site specific operational requirement has been demonstrated.

Whilst it is noted that at times of the year there are rigorous demands for an on site presence such as at breeding it is not considered that the requirement for a worker to live on site throughout the year can be fully justified as essential to the operation of the business. Furthermore, the applicant already has a presence on site and the site is not considered to be within in an isolated location. There are other residential areas within reasonable proximity that could provide other accommodation options. As such, it is considered that whatever presence is required on site can

reasonably be catered for.

In view of the above assessment and given the current circumstances, it is not considered that any of the relevant policies or guidance noted above provides support in principle for the residential accommodation being proposed. It is therefore recommended that the application is refused.

Index of Photographs

A site visit has been undertaken on 20 April 2023, and photographs relevant to the application have been archived.

RECOMMENDATION

Refuse

Reason for Decision

1. The proposed development does not comply with Policies 8, 16 and 17 of National Planning Framework 4 or Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2022 and the New Development Supplementary Guidance on Housing in the Green Belt as the business owner already resides at the site and a site specific operational need for the dwelling has not been demonstrated.



Alasdair Morrison
Head of Economy and Development

Applicant: Mrs Linsay De Freitas	Ref. No: 23/0158/PP
Site: Site 500 Metres South West Of Undercraig Farm House Gallahill 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) ✓
02	Proposed Dwelling Barn Block Plan Location	✓	✓
01 A	Location Plan	✓	✓

Officers Initials: JW

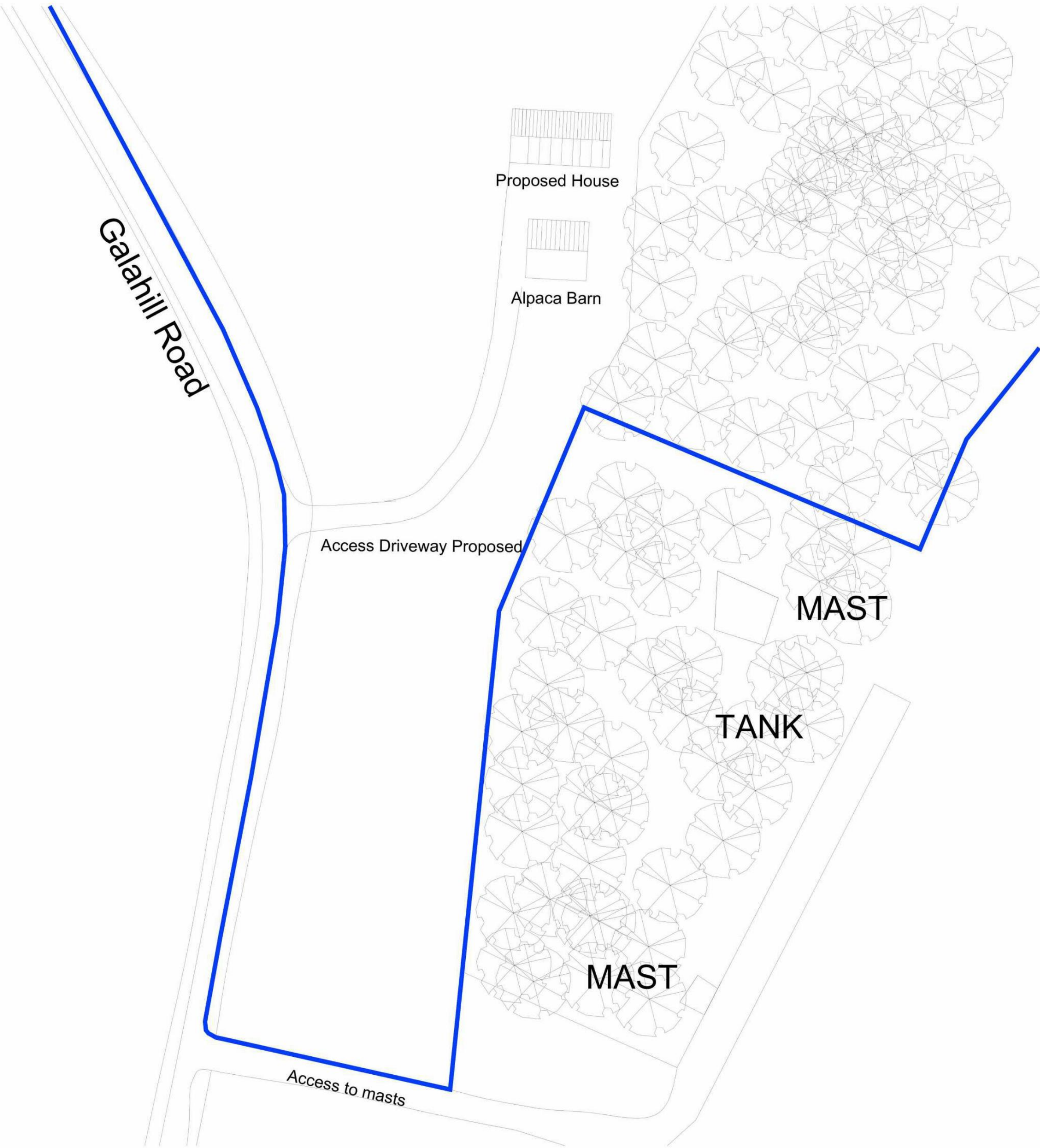
Business Support Initials: ____DM____

<p align="center">RENFREWSHIRE COUNCIL <u>Town and Country Planning (Scotland)</u> <u>Act 1997</u></p>	
<p>Application No. 23/0158/PP</p>	
<p>REFUSED on 18.09.2023</p>	
<p>Signed by </p>	
<p>On behalf of Renfrewshire Council</p>	
<p align="center">Page 610 of 690</p>	

Agricultural holding number CPH - 90/726/0065

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Rev:	Date:	Drawn/ App.	Description
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RENFREWSHIRE COUNCIL
Town and Country Planning (Scotland)
Act 1997

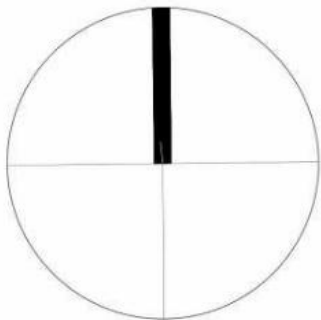
Application No. **23/0158/PP**

REFUSED
on **18.09.2023**

Signed by 

On behalf of Renfrewshire Council

Proposed Block plan @ 1:500



Job Title: Proposed Dwelling House with Barn, Langbank PA14 6YS			
Drawn by:	ZM	Project No.:	23001
Controlled by:	CB	Scale:	1: 500
Approved by:		Date:	2023.03.05
Drawing No.	02	Revision	
Proposed Dwelling Barn Block Plan location.			



AXN ARCHITECTURE
20 Middlepenny Road,
Langbank,
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info@AXNArchitecture.co.uk
www.axnarchitecture.co.uk

Agricultural holding number CPH - 90/726/0065

Ref easting 237,540 Northing 672254

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Rev:	Date:	Drawn/ App.	Description
A	04/04/23	zm/cb	site boundary added

RENFREWSHIRE COUNCIL

Town and Country Planning (Scotland)

Act 1997

Application No. 23/0158/PP

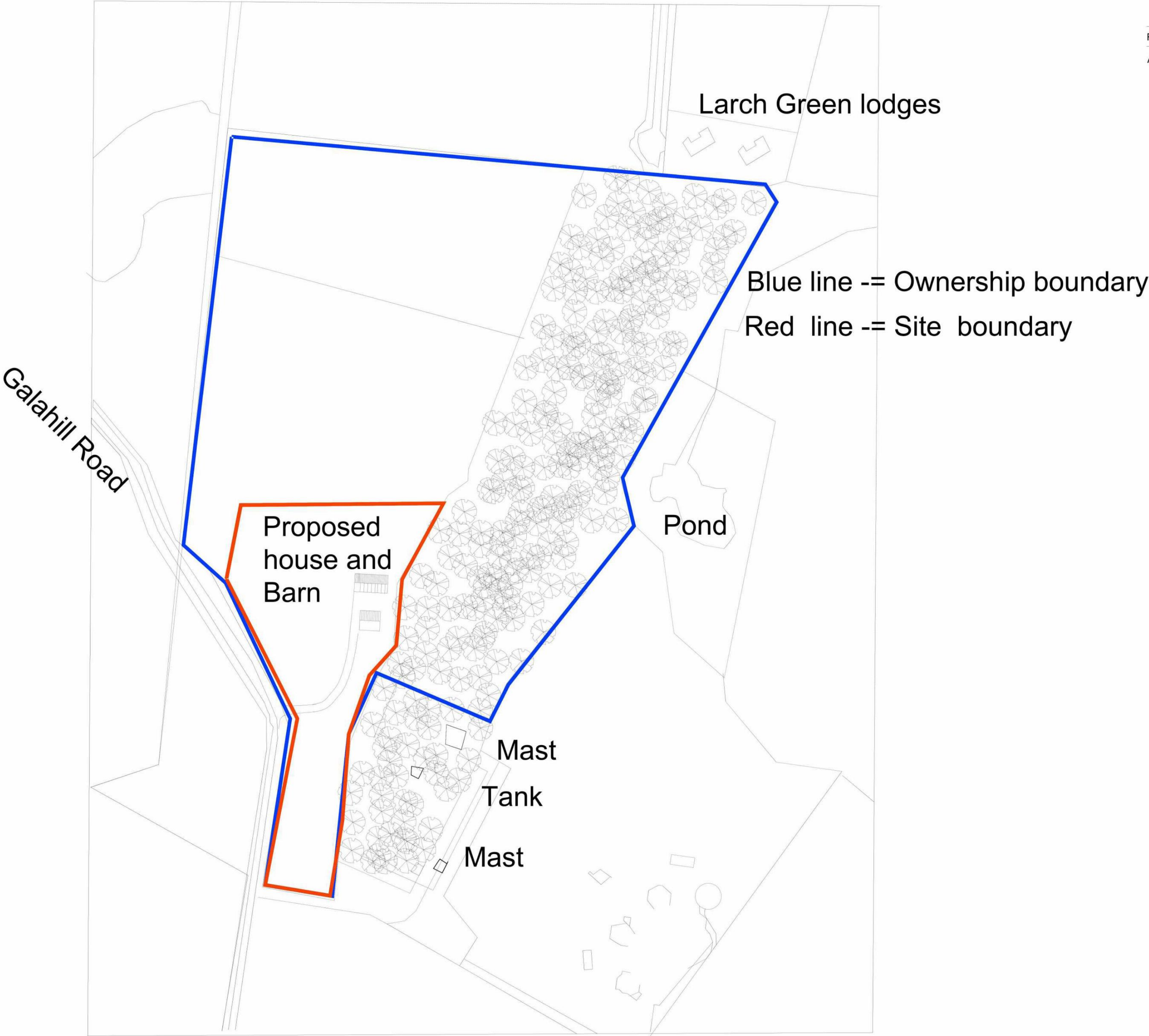
REFUSED

on

18.09.2023

Signed by

On behalf of Renfrewshire Council



Job Title: Proposed Dwelling House with Barn, Langbank PA14 6YS			
Drawn by:	ZM	Project No.:	23001
Controlled by:	CB	Scale:	1: 1250
Approved by:		Date:	2023.03.05
Drawing No.	01	Revision	A
Location plan			

Block Location Plan 1:1250

AXN

ARCHITECTURE

AXN ARCHITECTURE
20 Middlepenny Road,
Langbank,
PA14 6XB

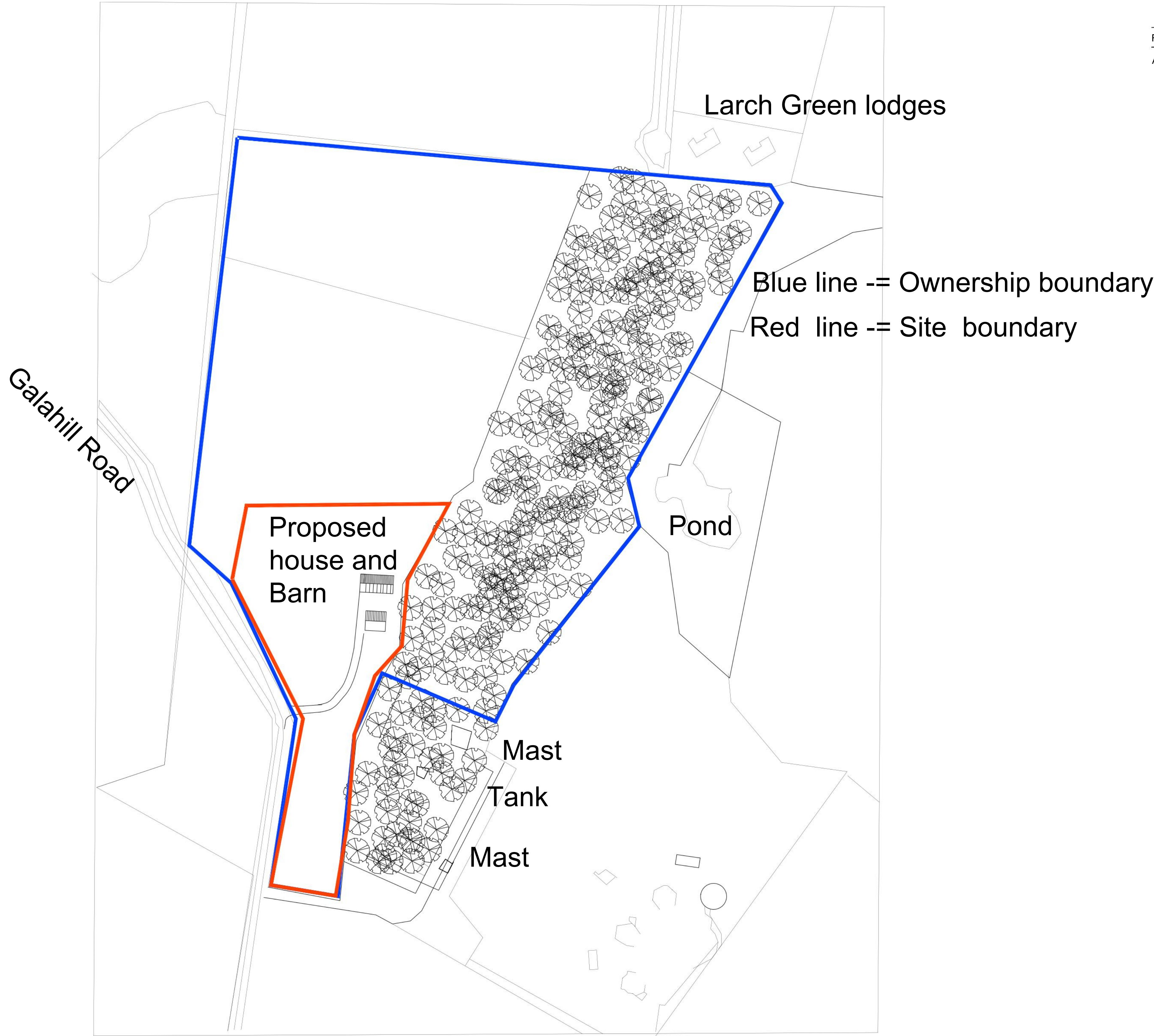
info@AXNArchitecture.co.uk
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A	04/04/23	zm/cb	site boundary added



Job Title: Proposed Dwelling House with Barn, Langbank PA14 6YS			
Drawn by:	ZM	Project No.:	23001
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Drawing No.	01	Revision	A
Location plan			

AXN
ARCHITECTURE

AXN ARCHITECTURE
20 Middlepenny Road,
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PA14 6XB

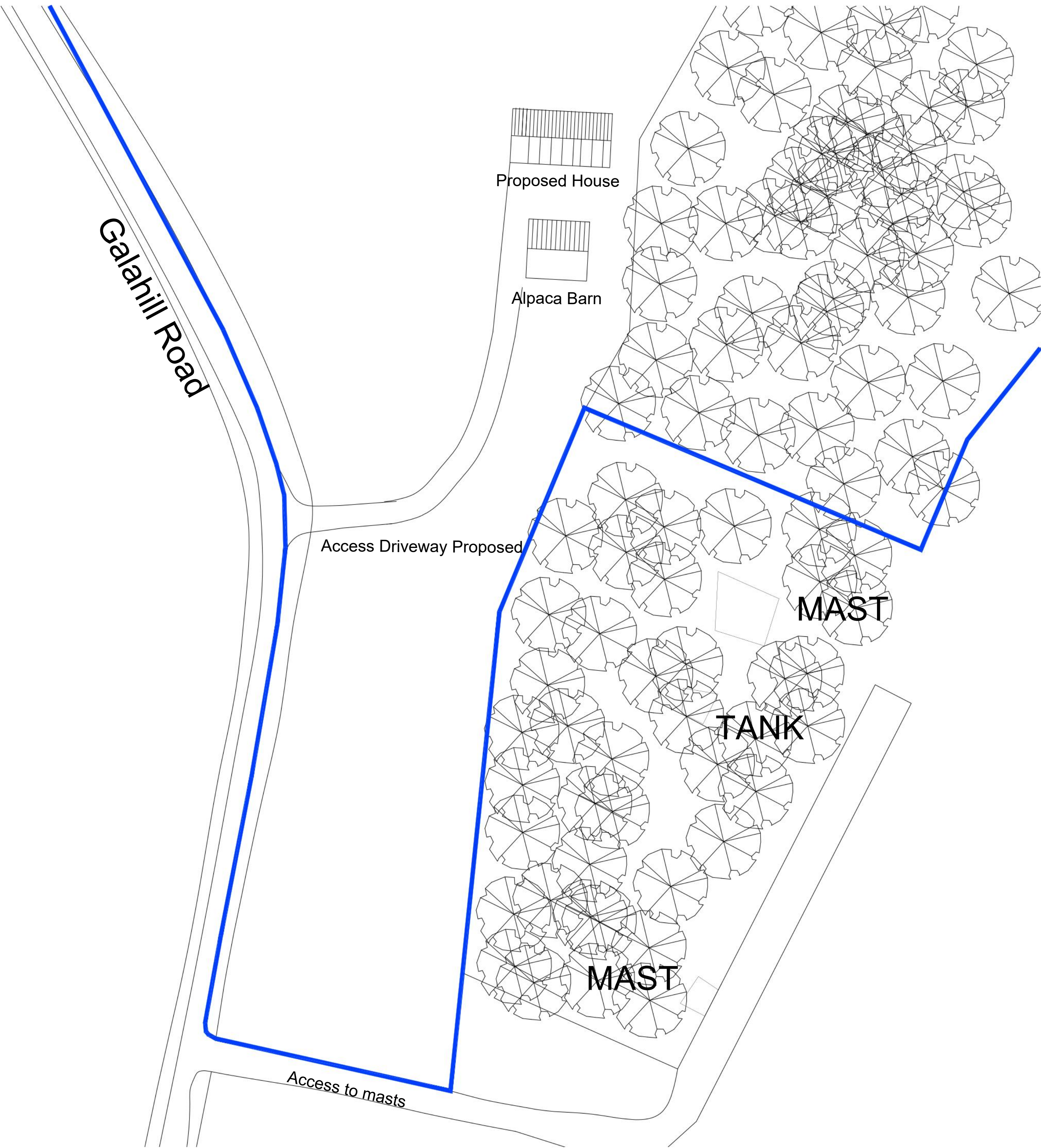
info@AXNArchitecture.co.uk.
www.axnarchitecture.co.uk

Block Location Plan 1:1250

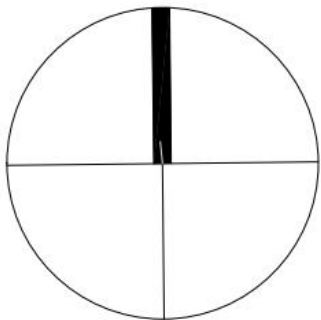
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Rev:	Date:	Drawn/ App.	Description
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Proposed Block plan @ 1:500



Job Title:

Proposed Dwelling House with Barn, Langbank PA14 6YS

Drawn by: ZM	Project No.: 23001
Controlled by: CB	Scale: 1: 500
Approved by:	Date: 2023.03.05
Drawing No. 02	Revision

Proposed Dwelling Barn Block Plan location.



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07/03/2023

Planning & Development
Renfrewshire council
Council office
Cotton street
Paisley
PA1 1JD

Dear Jim,

APPLICATION PLANNING PERMISSION IN PRINCIPLE:

ERECTION OF DWELLING HOUSE AND LIVESTOCK BARN AT UNDERCRAIG FRAM , BY GALAHILL ROAD, LANGBANK , PA146YS.

For applicant – Linsay De Freitas (Previously Linsay Mitchell married 2/9/22)- agricultural holding number :CPH -90/726/0065

Dear Planning,

Further to correspondence in 2022 with Graham Westwater and Fiona Knighton, I am pleased to enclose a Planning application in Principle as per the above noted development.

As outlined, the applicant Linsay de Freitas has been running her Alpaca breeding programme along with Alpaca Experiences & horse livery yard business from her parents house at Undercraig farm since 2019. Linsay and her husband currently share accommodation with her parents and her Sister.

Although the whole family live currently at the farm, Linsay is the sole operative within the business and wishes to develop and grow the business. This is untenable in the current shared accommodation arrangement. To expand the business additional covered facilities will be required for the livestock and her proposal is that they will be best located directly adjacent to the site of the proposed dwelling.

The planning application in principle is accompanied by labour requirement report prepared by SAC consulting indicating that on the basis of current stocking levels the business labour requirement is 1.72 units

A future projection business plan for the business is also submitted in support of the business outlining growth expectations of the business over the next 5 years.

Both the SAC report and the projected business plan outline the current status of the business and growth expectations. The SAC report refers to a healthy upward business trajectory. Separately 3 years of Accounts and SA returns have been included demonstrating the ongoing and established nature of the business on site.

Whilst the business is an Alpaca breeding programme with Alpaca Experiences & horse livery yard business, it is worth noting the Alpaca experience business element has considerable connection and involvement with the local community, particularly Nursery and Primary Education and Care Home petting visitations. Lindsay foresees that the business as a whole will evolve and the conservative labour estimate currently will increase as will the number of livestock.

The nature of the business dictates on site attendance at very short/ emergency notice and some detail is provided regarding this also. Nearby suitable accommodation is very expensive, very limited and whilst seemingly potentially nearby, the road structure dictates any travel by car to the site is circa 2-3 miles which is unworkable, not least as round the clock supervision is required during breeding season.

I trust the application is clear with clear need for the dwelling established. I would be pleased to discuss this in further detail should that be required.

Kind regards,

Ciarán E. Bradley

Director / Architect.*B.Arch. BSc. ARB. RIAS*

AXN Architecture



Renfrewshire
Council

Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 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 100623060-001

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)

ERECTION OF DWELLING HOUSE and livestock barn AT UNDERCRAIG FRAM , BY GALAHILL ROAD, LANGBANK , PA146YS.

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:	AXN Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ciaran	Building Name:	Twenty
Last Name: *	Bradley	Building Number:	
Telephone Number: *		Address 1 (Street): *	Middlepenny Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Langbank, Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	PA14 6XB
Email Address: *			
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:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Undercraig Cottage
First Name: *	Linsay	Building Number:	
Last Name: *	De Freitas	Address 1 (Street): *	Old Greenock Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Langbank
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	pa146ys
Fax Number:			
Email Address: *			

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 by Galahill Road South of Old Greenock Road.

Northing

672254

Easting

237540

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)

correspondence in 2022 with Graham Westwater and Fiona Knighton

Title:

Other title:

First Name:

Last Name:

Correspondence Reference
Number:

Date (dd/mm/yyyy):

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:

72000.00

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)

Farm 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

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

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

120

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Alapaca barn 120msq barn as well as house over 2 storeys

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

Do you have any agricultural tenants? *

☐ Yes ☒ No

Certificate Required

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

Certificate E

Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

--

Signed: Ciaran Bradley

On behalf of: Mrs Linsay De Freitas

Date: 27/03/2023

☒ 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)

Buisness accounts Business Projections Labour requirement SAC report Cover letter

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:

Declaration Date:

Proposal Details

Proposal Name	100623060
Proposal Description	Planning permission in principle for the erection of a Dwelling House and Livestock Barn at Undercraig farm, By Galahill road, langbank, PA146YS
Address	
Local Authority	Renfrewshire Council
Application Online Reference	100623060-003

Application Status

Form	complete
Main Details	complete
Certificate of Ownership	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Appeals against Refusals and other decisions	System	A4
Appeal statement 23-0158-PP	Attached	A4
Appellants comments	Attached	A4
Abbey Vetrinaraian group undercraig support	Attached	A4
SAC consulting Open letter to planning officer 29 November 2022 sent 30 Nov 22	Attached	A4
2019-2020 self assessment -original application	Attached	A4
2020-2021 self assessment - Original application	Attached	A4
Larch Green Alpacas-23001-01 Existing Location rev A -Original application	Attached	A1
Larch Green Alpacas-23001-02 - Block plan- Original application	Attached	A1
Letter Planning in principle - Larch green Alpacas - original application	Attached	A4
LGA Accounts 2022- original application	Attached	A4

Original planning permission application form	Attached	A4
PP - BUSINESS PROJECTIONS	Attached	A4
2023 THE NEED TO LIVE ON SITE - Original application		
Updated Larch Green Alpacas LRR	Attached	A4
Dec 2022- original application		
DMS-S1WQ4KMW00B00	Attached	A4
DMS-S1WQ4LMW00B00	Attached	A1
Appeals_against_Refusals_and_oth-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Appeals against Refusals and other decisions-003.xml	Attached	A0



Business plan, Projections and the need to live on site

Provided by Mrs. Linsay De Freitas

Summary

‘Larch Green Livery & Alpacas’ was started 4 years ago by myself, Linsay. The business is situated at Undercraig Farm, Langbank, Renfrewshire. The business breeds alpacas, provides Alpaca Trekking Experiences & events with my 7 Trekking Alpacas & 3 breeding females, as well as horse boarding facilities. The property consists of (49.8) acres.

Undercraig Farm is in an ideal location being so close to major road network (M8) making it easy for my Alpaca customers to get to the farm. I have had customers coming from all over the west of Scotland as well as much further afield.

In 2021 I expanded my operation and purchased some additional land adjacent to Undercraig. I have since began breeding alpacas with the hopes of expanding my herd to allow for more alpaca activities and therefore expanding the business.

Alpaca Trekking & Events

The alpaca side of my business is doing very well so far.

I currently offer a range of different experiences for customers to come and enjoy being around the alpacas.

These include:

Experience	Cost	Frequency	Total made per week
1 hour Alpaca trekking experience	£21 per adult or £30 per adult & child	5 per week	£735 - £1050 At full capacity
Meet & Feed Sessions	£9 per person or £15 per adult & child	5 Sessions per week	£75 - £300
Mini Trekkers Experience (suited to younger children)	£19.50 per adult & child	2 – 5 sessions per week. (More in summer, less in winter)	£39 - £390
Alpaca Picnics	£30 per table	5 sessions per week April – September	£450 At full capacity

I also offer:

- Care home visits
- School and educational visits (including university's)
- Children's parties
- Weddings and events

Pricing varies depending on what activities are chosen but I normally make between £136.50 - £450 per event

Wool Production

Each year the alpacas are sheared in June and their wool is sent off to a Mill. I use 'The Border Mill' where my wool is made into balls of yarn to be sold on. The alpacas all produce different quantities of wool. On average I get between 10 and 30 balls of wool per alpaca (100g balls of wool)

The process costs around £10 per ball of wool and we sell for £20 per ball.

Alpaca wool is of a very high quality and attracts customers due to its hypoallergenic properties and uniqueness.

Gift shop

I have a gift shop which is open to customers before and after their experiences where we sell items such as Mugs, T-shirts, Alpaca wool scarves, Alpaca wool socks, balls of wool, Alpaca Plushies & most recently ice cream.

Each item has around a 50- 60% mark up.

Breeding programme

I currently have 3 breeding females who are all pregnant and expecting their Cria over the summer this year.

Breeding alpacas is how I plan on keeping my business running and expanding for the years to come. If I can breed my own then I will not have the expense of buying more when my current trekking boys get too old.

The breeding process can be intense. From deciding on mating's to birthing, and then looking after the Cria – It is an everyday day hour by hour process which is required all year round.

I have attached an insight into how difficult the breeding process can be and why it is very important for me to be living on the farm to look after the hembra's (female alpacas) & Cria (babies). This document can be found on page 7.

Expansion of the business

Breeding

The biggest impact I can have on the business over the next few years is by breeding my own alpacas, which I have already started to do.

By having just 3 more trekking alpacas this could increase weekly income from the '1 hour trekking Experience' by £315 per week as well as profits from additional wool production.

Alternatively, for example if the Cria were female, within 2 years I would have 6 breeding female alpacas. Male Cria can be kept for trekking or sold on for £600+ with females going for over £2000 each.

Gift Shop

Expanding the gift shop to offer further items to customers.

If 40% of customers used the gift shop and spent between £15-£60 each the profit would increase with the increase of customers.

I would also like to offer bespoke items from our alpaca wool products which would have a higher price tag.

5 year projections for Larch Green Alpacas

Year		Projected further income
1 year from now	I will have 3 more alpacas from breeding. Depending on their gender I can either start another trekking herd, sell them on or keep for breeding.	£315 per week additional OR £6000+ over the year from selling on females With potentially 15 more customers per week this will increase our gift shop income by around 45% per week.
2 years from now	I will have 6 more alpacas from breeding. Depending on their gender I can either start another trekking herd, sell them on or keep for breeding.	£630 per week additional OR £12000+ over the 2 years from selling on females

		With potentially 30 more customers per week this will increase our gift shop income by around 85% per week.
3 years from now	I will have 9+ more alpacas from breeding. (If females are kept from year 1 they can birth in year 3) . Depending on their gender I can either start another trekking herd or sell them on.	£945 per week additional OR £18000+ over the 3 years from selling females With potentially 45 more customers per week this will increase our gift shop income by around 125% per week.
4 years from now	I will have 12+ more alpacas from breeding	£1260 per week additional OR £24000+ over the 4 years from selling females With potentially 60 more customers per week this will increase our gift shop income by around 170% per week.
5 years from now	I will have 15+ more alpacas	£1575 per week additional OR £30000+ over the 5 years from selling females With potentially 75 more customers per week this will increase our gift shop income by around 210% per week.

There is also the possibility of introducing other animals to the farm such as goats for a 'Goat Experience' or even a small café for customers to enjoy before or after their experiences. In my opinion there is many options for expansion but for now I am focussed on the breeding programme as I feel it will benefit the current business which is already doing very well.

Livery

I offer full livery only and currently have 8 stables on the yard.

Horses are boarded here for £105 per week each which includes their bedding and haylage (at a cost to me)

Over the next 5 years I would like to still be offering the same amount of boarding and the price to board a horse with me will rise with inflation.

This side of the business provides a steady income and is good to keep going especially over the winter months when the weather can occasionally affect alpaca trekking.

Conclusion

2024	More alpacas & more trekking	Increase in annual income by £16,380 at full capacity
2025	More alpacas, more trekking and more breeding	Increase in annual income by £32,760 at full capacity
2026	More alpacas, more trekking and more breeding	Increase in annual income by £49,140 at full capacity
2027	More alpacas, more trekking and more breeding	Increase in annual income by £65,520 at full capacity
2028	More alpacas, more trekking and more breeding	Increase in annual income by £81,900 at full capacity

I feel my business has been a success from the start – I have managed to keep it going through covid and even expand by buying more alpacas and introducing the female herd. I am passionate about my work and can't see myself doing anything else.

It is very important to me to look after the animals to the best of my ability and living here on the farm has a massive part to play in keeping the animals as healthy as possible.

Account of 2022 breeding – The need to live on site.

Larch Green Alpacas - 2022

This year has been the most difficult in my Alpaca career so far. I lost 100% of my Cria within 6 weeks.

Breeding alpacas is no easy task. It is time consuming, patience testing, heart breaking and exhausting. But I am still so passionate about them, even after the summer I've had – I'm even more determined to keep going.

Breeding alpacas is a sensitive matter. It takes almost a year (11.5 months) for a female alpaca to carry and birth her baby (cria). In some instances, gestation may take longer than twelve months. Birth usually occurs between the hours of 9am and 2pm – however this was not that case for one of our girls this year Asti who birthed at 4pm and the year before that she birthed at 8pm in the pouring rain. It is unusual for a female alpaca to need assistance with the birth – but when they do need assistance you need to act fast. Babies are typically born quickly and are standing and nursing within an hour of being born. Again, if this is not the case you need to act fast as alpacas can go downhill very quickly.

Living on site whilst breeding alpacas is very important. The amount of care that needs to go into these animals more than triples when the females are approaching birthing timescales. (Which can range anywhere between 242 and 345 days)

Below is an account of my year so far:

In spring this year (2022) I purchased 3 breeding female alpacas with the view of increasing my herd and potentially starting to sell these animals as the herd increases. 2 out of 3 of my girls were pregnant.

'Asti' was due on the 24th June. She had previously birthed and an alpaca's gestation is generally the same each year (give or take a couple of days)

Dakota was due around the 8th August – this was an average estimated date as this was her first birthing and there was no way of knowing when she would birth.

The girls settled in well and were really getting to know me. I was spending a lot of time with them, taking my time approaching them and being patient, doing everything possible not to stress them in this late stage on pregnancy. It was so important at this stage for me to learn their 'normal' behaviours because if anything was slightly 'off' I would need to act fast. Alpacas are very stoic creatures and are not very good at telling you if something is wrong or sore. Spending lots of time observing their behaviours benefits greatly in the long run.

Around Mid-June it was approaching Asti's due date and I could tell from her behaviours she was getting closer. She was more tired and slower than usual. I started checking her more often (up to 8 times daily). Each check I spent time in their paddock waiting for her to lift her tail to see if there was any movement. Alpacas are not an animal you can continuously catch and check, this is stressful for them so it is a case of wait, watch and see when looking for progress updates – which can be very time consuming.

On the 23rd June I was on my third paddock check of the day when I noticed Asti Lie down, get up then lie down again in quite a short time. This to me indicated a slight change in behaviour and I decided I needed to stay to make sure she was alright. This was Asti starting to go into labour. I sat in the field for 6 hours that day as Asti progressed through her labour and gave birth to a Fawn, Male Cria. The birthing process went smoothly – Asti had birthed before and she seemed to be a very good mum as soon as the Cria was born. She encouraged him to get up and suckle for colostrum (which is nutrient-dense and high in antibodies and antioxidants to build a new-born baby's immune system). I then had to catch Asti and ensure that the wax caps on her teats were removed so that the cria could suckle and get the all important nutrients, antibodies & antioxidants from the colostrum. To me, the baby suckling was the most important thing to happen that day. I was delighted that it all seemingly went so smoothly.

After birthing, Asti had to be checked regularly as well as the cria. Both had to be seen to be peeing, pooing, eating & drinking as these 4 things indicate that everything is working as it should.

Asti and the Cria were checked on hourly from here on. It wasn't just a case of having a look to make sure they are up and moving, I had to wait for them to eat, drink or do the toilet. When they were resting I had to ensure it wasn't for too long as the cria could go rapidly downhill if there was anything wrong. I took records of times I seen him drinking & going to the toilet.

I spent a long time searching the field for baby alpacas poos if I missed him going. It is always good to check the first ones are the 'correct' colour and consistency. The first one should be a yellow/orange colour which is quite soft. There after should be more brown and start to harden up. Anything out of the ordinary could indicate problems – but at this stage, it was so far so good!

The weeks were flying by, the cria was weighed every day for the first three weeks and he was gaining 1kg per day – great progress and the sign of a healthy cria.

Dakotas due date was then approaching. I carried out the same checks as I did with Asti. Observing her behaviours and like Asti, she started to slow down and be less tolerant of her sisters in the paddock. I was getting up earlier in the mornings and one morning (1st August) I arrived at the field gate where the girls come over for their breakfast and Dakota didn't show. I ran across the field to where she was. She was lying down and I very quickly realised she was birthing (this was around 6.30am – an unusual time for alpacas to birth). I also very quickly realised that the cria wasn't moving. I got there on time as Dakota had literally just pushed her out, but the cria was already dead. Dakota was 1 week away from her due date so she had gone full term. Something had gone wrong, I just didn't know what. I was devastated. I had lost my second ever cria before she even had a chance at life.

Another full day was spent in the field caring for Dakota who was very swollen around her back end. I had to speak to the vet to discuss what had happened and get some pain relief prescribed for Dakota. I gave her an anti-inflammatory injection to help with any pain and swelling and check her behaviours were getting back to 'normal' after her still birth.

The most difficult thing about this process was deciding when the right time to take the body of the cria away. If I took her away too soon, Dakota would be stressed out. I had to give the girls time to grieve but also couldn't leave the cria out in the paddock for too long as I had to get Dakota used to the fact that this baby wasn't alive. She didn't want to leave the body, she lay next to her most of the day, not eating, not drinking. The way she acted proved to me that she was going to be a very good mum – It just wasn't meant to be this time.

I found a time to take the cria away and Dakota started looking for her round the paddock. Heart breaking to watch but for the best. Within a couple of days Dakotas swelling had come down and she was eating & drinking as usual. I kept a close eye on her but was so pleased she had come through it relatively okay.

Cria number 1 had grown to 8 weeks old happy & healthy. Things then started to take a down turn. I noticed straight away due to spending so much time observing their behaviours, that the cria had a bout of diarrhea. This then caused another day of sitting in the alpacas field waiting for him to do the toilet, finding the exact spot and collecting enough of a sample to send to the vet for testing.

His results came back 'normal' which I couldn't get my head around as diarrhea is not 'normal'. I sent another sample to Claire Whitehead who is an alpaca specialist down south. Again, the results returned 'normal' with the advise to give him a probiotic. 2 weeks had passed and the faeces finally started to harden up again – I thought great! I've got my healthy little cria back. Literally the next day, I noticed his breathing rate was heightened and more rapid than normal, I took his temperature which was also slightly elevated. I called the vet as it had to be some sort of pain or infection. The vet put him on a course of antibiotics and metacalm pain killer & anti-inflammatory. This involved 2 injections into the muscle per day of anti biotics and 1 injection of pain killer every 2 days.

After the full course of anti biotics the breathing rate hadn't gone down and he had then started to stumble around, his back legs were giving way and he wasn't steady on his feet. The vet came out again and changed the antibiotic but advised it could be neurological due to the stumbling. He was given a dose of selenium & the antibiotics were changed. I was devastated at the thought of us not being able to cure him but I continued on with the second course of antibiotics to give him every chance. This second course ran over my wedding day (Friday 2nd September) so on the morning of my wedding I was out nursing my sick Cria hoping he would improve. By now he was getting up to 6 injections per day which consisted of Antibiotics, Vitamin B1, Painkillers & Anti inflammatory. By the Monday (5th September) he had his final dose of antibiotics but still wasn't any better. I decided to call the vet out again to take blood samples because if it was a selenium deficiency then we had to test the levels in his blood – it can be toxic to give him too much. The vet came out and the first thing she did was listen to his lungs. She informed me that they were a lot worse than the previous week and that the lower section on both sides of his lungs had consolidated. She then suggested we scan them to see what's going on. The scan showed pockets of infection all throughout the lungs which obviously has not been shifted by the 2 full courses of antibiotics he had had. The damage done to his lungs was irreparable.

This was absolutely heart breaking as I wanted nothing more than to get my healthy little cria back. But we had to make the decision to say goodbye to him as we couldn't keep him suffering any longer.

This was my first cria but my second cria death. 2 out of 2 gone. 100% of this years births lost.

This is one example of the difficulties you can face and the time needed to produce these animals.

Going forward – The girls have all been mated again and I am working closely with Abbey vets to ensure we are doing everything we can to make our next year successful.

We have now carried out blood tests on the girls to determine if all their levels are what they should be. This will be carried out again around 4 weeks before the birth of the first cria which will be mid June. In terms of the birthing process, I will be doing exactly the same as last year as I cannot physically do anymore than what I have done. It takes a lot of time, patience, sleepless nights & strength to breed these animals but I am feeling positive and must write off this year to bad luck.

Linsay de Freitas

Larch Green Alpacas



**Renfrewshire
Council**

Renfrewshire House Cotton Street Paisley PA1 1JD Tel: 0300 3000 144 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 100623060-001

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)

ERECTION OF DWELLING HOUSE and livestock barn AT UNDERCRAIG FRAM , BY GALAHILL ROAD, LANGBANK , PA146YS.

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:	AXN Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ciaran	Building Name:	Twenty
Last Name: *	Bradley	Building Number:	
Telephone Number: *	07792568557	Address 1 (Street): *	Middlepenny Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Langbank, Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	PA14 6XB
Email Address: *	axnarchitecture@gmail.com		
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:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Undercraig Cottage
First Name: *	Linsay	Building Number:	
Last Name: *	De Freitas	Address 1 (Street): *	Old Greenock Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Langbank
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	pa146ys
Fax Number:			
Email Address: *	larchgreenalpacas@gmail.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 by Galahill Road South of Old Greenock Road.

Northing

672254

Easting

237540

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)

correspondence in 2022 with Graham Westwater and Fiona Knighton

Title:

Other title:

First Name:

Last Name:

Correspondence Reference
Number:

Date (dd/mm/yyyy):

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:

72000.00

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)

Farm 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

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

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

120

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Alapaca barn 120msq barn as well as house over 2 storeys

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

Do you have any agricultural tenants? *

☐ Yes ☒ No

Certificate Required

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

Certificate E

Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

--

Signed: Ciaran Bradley

On behalf of: Mrs Linsay De Freitas

Date: 27/03/2023

☒ 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)

Buisness accounts Business Projections Labour requirement SAC report Cover letter

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:

Declaration Date:



AXN Architecture Ltd.
20 Middlepenny Road,
Langbank,
PA14 6XB
www.AXNArchitecture.co.uk

07/03/2023

Planning & Development
Renfrewshire council
Council office
Cotton street
Paisley
PA1 1JD

Dear Jim,

APPLICATION PLANNING PERMISSION IN PRINCIPLE:

ERECTION OF DWELLING HOUSE AND LIVESTOCK BARN AT UNDERCRAIG FRAM , BY GALAHILL ROAD, LANGBANK , PA146YS.

For applicant – Linsay De Freitas (Previously Linsay Mitchell married 2/9/22)- agricultural holding number :CPH -90/726/0065

Dear Planning,

Further to correspondence in 2022 with Graham Westwater and Fiona Knighton, I am pleased to enclose a Planning application in Principle as per the above noted development.

As outlined, the applicant Linsay de Freitas has been running her Alpaca breeding programme along with Alpaca Experiences & horse livery yard business from her parents house at Undercraig farm since 2019. Linsay and her husband currently share accommodation with her parents and her Sister.

Although the whole family live currently at the farm, Linsay is the sole operative within the business and wishes to develop and grow the business. This is untenable in the current shared accommodation arrangement. To expand the business additional covered facilities will be required for the livestock and her proposal is that they will be best located directly adjacent to the site of the proposed dwelling.

The planning application in principle is accompanied by labour requirement report prepared by SAC consulting indicating that on the basis of current stocking levels the business labour requirement is 1.72 units

A future projection business plan for the business is also submitted in support of the business outlining growth expectations of the business over the next 5 years.

Both the SAC report and the projected business plan outline the current status of the business and growth expectations. The SAC report refers to a healthy upward business trajectory. Separately 3 years of Accounts and SA returns have been included demonstrating the ongoing and established nature of the business on site.

Whilst the business is an Alpaca breeding programme with Alpaca Experiences & horse livery yard business, it is worth noting the Alpaca experience business element has considerable connection and involvement with the local community, particularly Nursery and Primary Education and Care Home petting visitations. Lindsay foresees that the business as a whole will evolve and the conservative labour estimate currently will increase as will the number of livestock.

The nature of the business dictates on site attendance at very short/ emergency notice and some detail is provided regarding this also. Nearby suitable accommodation is very expensive, very limited and whilst seemingly potentially nearby, the road structure dictates any travel by car to the site is circa 2-3 miles which is unworkable, not least as round the clock supervision is required during breeding season.

I trust the application is clear with clear need for the dwelling established. I would be pleased to discuss this in further detail should that be required.

Kind regards,

Ciarán E. Bradley

Director / Architect. *B.Arch. BSc. ARB. RIAS*

AXN Architecture



Business plan, Projections and the need to live on site

Provided by Mrs. Linsay De Freitas

Summary

‘Larch Green Livery & Alpacas’ was started 4 years ago by myself, Linsay. The business is situated at Undercraig Farm, Langbank, Renfrewshire. The business breeds alpacas, provides Alpaca Trekking Experiences & events with my 7 Trekking Alpacas & 3 breeding females, as well as horse boarding facilities. The property consists of (49.8) acres.

Undercraig Farm is in an ideal location being so close to major road network (M8) making it easy for my Alpaca customers to get to the farm. I have had customers coming from all over the west of Scotland as well as much further afield.

In 2021 I expanded my operation and purchased some additional land adjacent to Undercraig. I have since began breeding alpacas with the hopes of expanding my herd to allow for more alpaca activities and therefore expanding the business.

Alpaca Trekking & Events

The alpaca side of my business is doing very well so far.

I currently offer a range of different experiences for customers to come and enjoy being around the alpacas.

These include:

Experience	Cost	Frequency	Total made per week
1 hour Alpaca trekking experience	£21 per adult or £30 per adult & child	5 per week	£735 - £1050 At full capacity
Meet & Feed Sessions	£9 per person or £15 per adult & child	5 Sessions per week	£75 - £300
Mini Trekkers Experience (suited to younger children)	£19.50 per adult & child	2 – 5 sessions per week. (More in summer, less in winter)	£39 - £390
Alpaca Picnics	£30 per table	5 sessions per week April – September	£450 At full capacity

I also offer:

- Care home visits
- School and educational visits (including university's)
- Children's parties
- Weddings and events

Pricing varies depending on what activities are chosen but I normally make between £136.50 - £450 per event

Wool Production

Each year the alpacas are sheared in June and their wool is sent off to a Mill. I use 'The Border Mill' where my wool is made into balls of yarn to be sold on. The alpacas all produce different quantities of wool. On average I get between 10 and 30 balls of wool per alpaca (100g balls of wool)

The process costs around £10 per ball of wool and we sell for £20 per ball.

Alpaca wool is of a very high quality and attracts customers due to its hypoallergenic properties and uniqueness.

Gift shop

I have a gift shop which is open to customers before and after their experiences where we sell items such as Mugs, T-shirts, Alpaca wool scarves, Alpaca wool socks, balls of wool, Alpaca Plushies & most recently ice cream.

Each item has around a 50- 60% mark up.

Breeding programme

I currently have 3 breeding females who are all pregnant and expecting their Cria over the summer this year.

Breeding alpacas is how I plan on keeping my business running and expanding for the years to come. If I can breed my own then I will not have the expense of buying more when my current trekking boys get too old.

The breeding process can be intense. From deciding on mating's to birthing, and then looking after the Cria – It is an everyday day hour by hour process which is required all year round.

I have attached an insight into how difficult the breeding process can be and why it is very important for me to be living on the farm to look after the hembra's (female alpacas) & Cria (babies). This document can be found on page 7.

Expansion of the business

Breeding

The biggest impact I can have on the business over the next few years is by breeding my own alpacas, which I have already started to do.

By having just 3 more trekking alpacas this could increase weekly income from the '1 hour trekking Experience' by £315 per week as well as profits from additional wool production.

Alternatively, for example if the Cria were female, within 2 years I would have 6 breeding female alpacas. Male Cria can be kept for trekking or sold on for £600+ with females going for over £2000 each.

Gift Shop

Expanding the gift shop to offer further items to customers.

If 40% of customers used the gift shop and spent between £15-£60 each the profit would increase with the increase of customers.

I would also like to offer bespoke items from our alpaca wool products which would have a higher price tag.

5 year projections for Larch Green Alpacas

Year		Projected further income
1 year from now	I will have 3 more alpacas from breeding. Depending on their gender I can either start another trekking herd, sell them on or keep for breeding.	£315 per week additional OR £6000+ over the year from selling on females With potentially 15 more customers per week this will increase our gift shop income by around 45% per week.
2 years from now	I will have 6 more alpacas from breeding. Depending on their gender I can either start another trekking herd, sell them on or keep for breeding.	£630 per week additional OR £12000+ over the 2 years from selling on females

		With potentially 30 more customers per week this will increase our gift shop income by around 85% per week.
3 years from now	I will have 9+ more alpacas from breeding. (If females are kept from year 1 they can birth in year 3) . Depending on their gender I can either start another trekking herd or sell them on.	£945 per week additional OR £18000+ over the 3 years from selling females With potentially 45 more customers per week this will increase our gift shop income by around 125% per week.
4 years from now	I will have 12+ more alpacas from breeding	£1260 per week additional OR £24000+ over the 4 years from selling females With potentially 60 more customers per week this will increase our gift shop income by around 170% per week.
5 years from now	I will have 15+ more alpacas	£1575 per week additional OR £30000+ over the 5 years from selling females With potentially 75 more customers per week this will increase our gift shop income by around 210% per week.

There is also the possibility of introducing other animals to the farm such as goats for a 'Goat Experience' or even a small café for customers to enjoy before or after their experiences. In my opinion there is many options for expansion but for now I am focussed on the breeding programme as I feel it will benefit the current business which is already doing very well.

Livery

I offer full livery only and currently have 8 stables on the yard.

Horses are boarded here for £105 per week each which includes their bedding and haylage (at a cost to me)

Over the next 5 years I would like to still be offering the same amount of boarding and the price to board a horse with me will rise with inflation.

This side of the business provides a steady income and is good to keep going especially over the winter months when the weather can occasionally affect alpaca trekking.

Conclusion

2024	More alpacas & more trekking	Increase in annual income by £16,380 at full capacity
2025	More alpacas, more trekking and more breeding	Increase in annual income by £32,760 at full capacity
2026	More alpacas, more trekking and more breeding	Increase in annual income by £49,140 at full capacity
2027	More alpacas, more trekking and more breeding	Increase in annual income by £65,520 at full capacity
2028	More alpacas, more trekking and more breeding	Increase in annual income by £81,900 at full capacity

I feel my business has been a success from the start – I have managed to keep it going through covid and even expand by buying more alpacas and introducing the female herd. I am passionate about my work and can't see myself doing anything else.

It is very important to me to look after the animals to the best of my ability and living here on the farm has a massive part to play in keeping the animals as healthy as possible.

Account of 2022 breeding – The need to live on site.

Larch Green Alpacas - 2022

This year has been the most difficult in my Alpaca career so far. I lost 100% of my Cria within 6 weeks.

Breeding alpacas is no easy task. It is time consuming, patience testing, heart breaking and exhausting. But I am still so passionate about them, even after the summer I've had – I'm even more determined to keep going.

Breeding alpacas is a sensitive matter. It takes almost a year (11.5 months) for a female alpaca to carry and birth her baby (cria). In some instances, gestation may take longer than twelve months. Birth usually occurs between the hours of 9am and 2pm – however this was not that case for one of our girls this year Asti who birthed at 4pm and the year before that she birthed at 8pm in the pouring rain. It is unusual for a female alpaca to need assistance with the birth – but when they do need assistance you need to act fast. Babies are typically born quickly and are standing and nursing within an hour of being born. Again, if this is not the case you need to act fast as alpacas can go downhill very quickly.

Living on site whilst breeding alpacas is very important. The amount of care that needs to go into these animals more than triples when the females are approaching birthing timescales. (Which can range anywhere between 242 and 345 days)

Below is an account of my year so far:

In spring this year (2022) I purchased 3 breeding female alpacas with the view of increasing my herd and potentially starting to sell these animals as the herd increases. 2 out of 3 of my girls were pregnant.

'Asti' was due on the 24th June. She had previously birthed and an alpaca's gestation is generally the same each year (give or take a couple of days)

Dakota was due around the 8th August – this was an average estimated date as this was her first birthing and there was no way of knowing when she would birth.

The girls settled in well and were really getting to know me. I was spending a lot of time with them, taking my time approaching them and being patient, doing everything possible not to stress them in this late stage on pregnancy. It was so important at this stage for me to learn their 'normal' behaviours because if anything was slightly 'off' I would need to act fast. Alpacas are very stoic creatures and are not very good at telling you if something is wrong or sore. Spending lots of time observing their behaviours benefits greatly in the long run.

Around Mid-June it was approaching Asti's due date and I could tell from her behaviours she was getting closer. She was more tired and slower than usual. I started checking her more often (up to 8 times daily). Each check I spent time in their paddock waiting for her to lift her tail to see if there was any movement. Alpacas are not an animal you can continuously catch and check, this is stressful for them so it is a case of wait, watch and see when looking for progress updates – which can be very time consuming.

On the 23rd June I was on my third paddock check of the day when I noticed Asti Lie down, get up then lie down again in quite a short time. This to me indicated a slight change in behaviour and I decided I needed to stay to make sure she was alright. This was Asti starting to go into labour. I sat in the field for 6 hours that day as Asti progressed through her labour and gave birth to a Fawn, Male Cria. The birthing process went smoothly – Asti had birthed before and she seemed to be a very good mum as soon as the Cria was born. She encouraged him to get up and suckle for colostrum (which is nutrient-dense and high in antibodies and antioxidants to build a new-born baby's immune system). I then had to catch Asti and ensure that the wax caps on her teats were removed so that the cria could suckle and get the all important nutrients, antibodies & antioxidants from the colostrum. To me, the baby suckling was the most important thing to happen that day. I was delighted that it all seemingly went so smoothly.

After birthing, Asti had to be checked regularly as well as the cria. Both had to be seen to be peeing, pooing, eating & drinking as these 4 things indicate that everything is working as it should.

Asti and the Cria were checked on hourly from here on. It wasn't just a case of having a look to make sure they are up and moving, I had to wait for them to eat, drink or do the toilet. When they were resting I had to ensure it wasn't for too long as the cria could go rapidly downhill if there was anything wrong. I took records of times I seen him drinking & going to the toilet.

I spent a long time searching the field for baby alpacas poos if I missed him going. It is always good to check the first ones are the 'correct' colour and consistency. The first one should be a yellow/orange colour which is quite soft. There after should be more brown and start to harden up. Anything out of the ordinary could indicate problems – but at this stage, it was so far so good!

The weeks were flying by, the cria was weighed every day for the first three weeks and he was gaining 1kg per day – great progress and the sign of a healthy cria.

Dakotas due date was then approaching. I carried out the same checks as I did with Asti. Observing her behaviours and like Asti, she started to slow down and be less tolerant of her sisters in the paddock. I was getting up earlier in the mornings and one morning (1st August) I arrived at the field gate where the girls come over for their breakfast and Dakota didn't show. I ran across the field to where she was. She was lying down and I very quickly realised she was birthing (this was around 6.30am – an unusual time for alpacas to birth). I also very quickly realised that the cria wasn't moving. I got there on time as Dakota had literally just pushed her out, but the cria was already dead. Dakota was 1 week away from her due date so she had gone full term. Something had gone wrong, I just didn't know what. I was devastated. I had lost my second ever cria before she even had a chance at life.

Another full day was spent in the field caring for Dakota who was very swollen around her back end. I had to speak to the vet to discuss what had happened and get some pain relief prescribed for Dakota. I gave her an anti-inflammatory injection to help with any pain and swelling and check her behaviours were getting back to 'normal' after her still birth.

The most difficult thing about this process was deciding when the right time to take the body of the cria away. If I took her away too soon, Dakota would be stressed out. I had to give the girls time to grieve but also couldn't leave the cria out in the paddock for too long as I had to get Dakota used to the fact that this baby wasn't alive. She didn't want to leave the body, she lay next to her most of the day, not eating, not drinking. The way she acted proved to me that she was going to be a very good mum – It just wasn't meant to be this time.

I found a time to take the cria away and Dakota started looking for her round the paddock. Heart breaking to watch but for the best. Within a couple of days Dakotas swelling had come down and she was eating & drinking as usual. I kept a close eye on her but was so pleased she had come through it relatively okay.

Cria number 1 had grown to 8 weeks old happy & healthy. Things then started to take a down turn. I noticed straight away due to spending so much time observing their behaviours, that the cria had a bout of diarrhea. This then caused another day of sitting in the alpacas field waiting for him to do the toilet, finding the exact spot and collecting enough of a sample to send to the vet for testing.

His results came back 'normal' which I couldn't get my head around as diarrhea is not 'normal'. I sent another sample to Claire Whitehead who is an alpaca specialist down south. Again, the results returned 'normal' with the advise to give him a probiotic. 2 weeks had passed and the feaces finally started to harden up again – I thought great! I've got my healthy little cria back. Literally the next day, I noticed his breathing rate was heightened and more rapid than normal, I took his temperature which was also slightly elevated. I called the vet as it had to be some sort of pain or infection. The vet put him on a course of antibiotics and metacalm pain killer & anti-inflammatory. This involved 2 injections into the muscle per day of anti biotics and 1 injection of pain killer every 2 days.

After the full course of anti biotics the breathing rate hadn't gone down and he had then started to stumble around, his back legs were giving way and he wasn't steady on his feet. The vet came out again and changed the antibiotic but advised it could be neurological due to the stumbling. He was given a dose of selenium & the antibiotics were changed. I was devastated at the thought of us not being able to cure him but I continued on with the second course of antibiotics to give him every chance. This second course ran over my wedding day (Friday 2nd September) so on the morning of my wedding I was out nursing my sick Cria hoping he would improve. By now he was getting up to 6 injections per day which consisted of Antibiotics, Vitamin B1, Painkillers & Anti inflammatory. By the Monday (5th September) he had his final dose of antibiotics but still wasn't any better. I decided to call the vet out again to take blood samples because if it was a selenium deficiency then we had to test the levels in his blood – it can be toxic to give him too much. The vet came out and the first thing she did was listen to his lungs. She informed me that they were a lot worse than the previous week and that the lower section on both sides of his lungs had consolidated. She then suggested we scan them to see what's going on. The scan showed pockets of infection all throughout the lungs which obviously has not been shifted by the 2 full courses of antibiotics he had had. The damage done to his lungs was irreparable.

This was absolutely heart breaking as I wanted nothing more than to get my healthy little cria back. But we had to make the decision to say goodbye to him as we couldn't keep him suffering any longer.

This was my first cria but my second cria death. 2 out of 2 gone. 100% of this years births lost.

This is one example of the difficulties you can face and the time needed to produce these animals.

Going forward – The girls have all been mated again and I am working closely with Abbey vets to ensure we are doing everything we can to make our next year successful.

We have now carried out blood tests on the girls to determine if all their levels are what they should be. This will be carried out again around 4 weeks before the birth of the first cria which will be mid June. In terms of the birthing process, I will be doing exactly the same as last year as I cannot physically do anymore than what I have done. It takes a lot of time, patience, sleepless nights & strength to breed these animals but I am feeling positive and must write off this year to bad luck.

Linsay de Freitas

Larch Green Alpacas

Larch Green Alpacas

Labour Requirement Report

Strictly confidential



Prepared by:
SAC Consulting
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December 2022

Introduction

This report provides an assessment of the labour requirement for the business of Larch Green Alpacas. The report is based on information received by Carol-Anne Warnock, Agricultural Consultant, SAC from Linsay Mitchell (Sole Trader) at a meeting at Undercraig Farm.

Linsay would like to develop and grow the business but feels that her ambition cannot be achieved whilst still living in the farmhouse at Undercraig with her parents (John and Shona Mitchell) and sister (Laura).

Although the whole family live at Undercraig Farm only Linsay is involved in the day to day running of Larch Green Alpacas.

John Mitchell operates a heavy plant business from Undercraig Farm offering foundation and drainage works.

Shona Mitchell runs Larch Green Lodges; this business has 3 luxury self-catering lodges on farm overlooking the Clyde estuary.

Laura Mitchell works in retail off site.

Linsay proposes to build a dwelling house on land she owns at Undercraig Farm with the view to expanding the existing Alpaca and Livery business. This report will appraise whether the labour involved in the business justifies another dwelling on site.

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DESCRIPTION OF BUSINESS

Larch Green Alpacas was established in 2018 by Lindsay Mitchell (Sole Trader).

The business offers Alpaca experiences from Undercraig Farm in Renfrewshire alongside selling Alpaca fibre and more recently entering into the Breeding Alpaca market.

Alongside the Alpaca enterprise the business makes use of the farm stabling to provide livery for 8 horses (2 owned).

Land

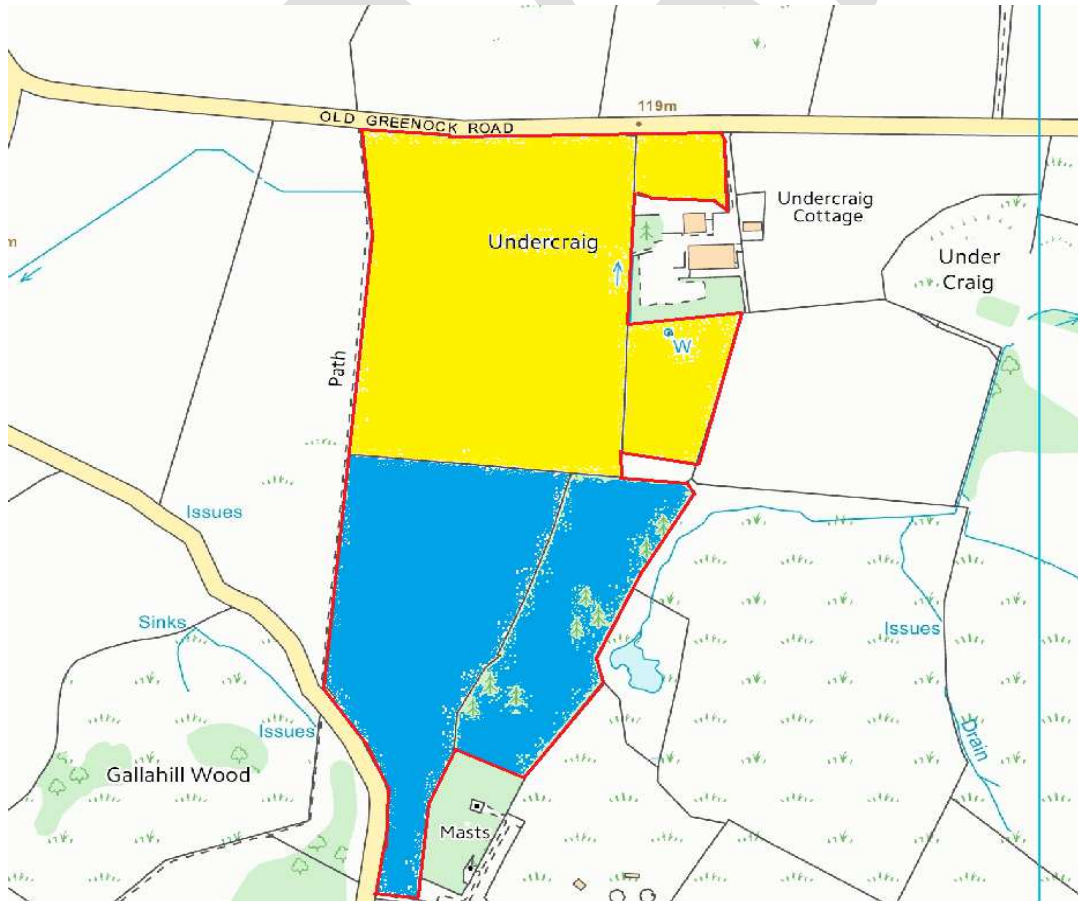
The business utilises land owned by Lindsay alongside land her parents previously farmed. An agreement is also held for grazing rights over 3.97 hectares owned by the nearby Gleddoch Golf and Spa Resort. This land has not been included in any calculations as although there is a signed agreement it does not provide sufficient security of tenure.

All land is utilised for grazing with forage stocks brought in.

A full breakdown of the land can be found below:

Ownership	Area (ha)
Lindsay Mitchell	8.37
John & Shona Mitchell (Parents)	8.87
Total Land Owned*	17.24
Total Land Utilised	13.66

*Of the land Owned 3.58ha is Coniferous woodland with no grazeable understory and does not contribute to the business.



BUSINESS ACTIVITIES – ALPACAS

The business has 7 male alpacas and offers Alpaca experiences.

These comprise trekking packages, alpaca meeting and feeding sessions on farm together with packages offering visitation to nursery schools, care homes and special events.

The on-farm experiences are offered from Thursday through to Monday with Tuesday and Wednesday set-aside for Alpaca care and maintenance activities such as feet trimming, teeth grinding and paddock cleaning.

A trek usually comprises 7 people (one for each alpaca) and lasts around 1 hour, with mini treks (40 mins) also available for children. Between the treks and the feeding experiences the business can expect to see between 15–20 people on site on each of their experience days.

The Alpacas are summered outside on grass with access to an open fronted shelter. In winter should conditions deteriorate the alpacas can be housed within the steading although this has not been required in the last couple of years.

Fleeces from the Alpacas are processed into 100g balls of high quality, high value product for sale to visitors to the farm or local spinners/crafters. Approximately 16.75 kgs of Alpaca Fleece produces approximately 129 balls of wool for sale annually.

Three breeding female Alpacas were introduced into the herd in 2022. They are all pregnant and baby cria are expected in the Summer of 2023. This will undoubtedly be an added attraction for visitors to the farm. Additionally, this will increase the earning potential of the business by allowing the business to trade in breeding animals. Breeding animals can sell from between £250 – £15,000. Prices vary according to genetics, age, fertility, colour and fleece fibre quality.

BUSINESS ACTIVITIES – HORSES

There are 8 stable blocks at Undercraig with all stables currently in use.

There are 6 horses on full livery with the remaining 2 stables occupied by Linsay's own horses.

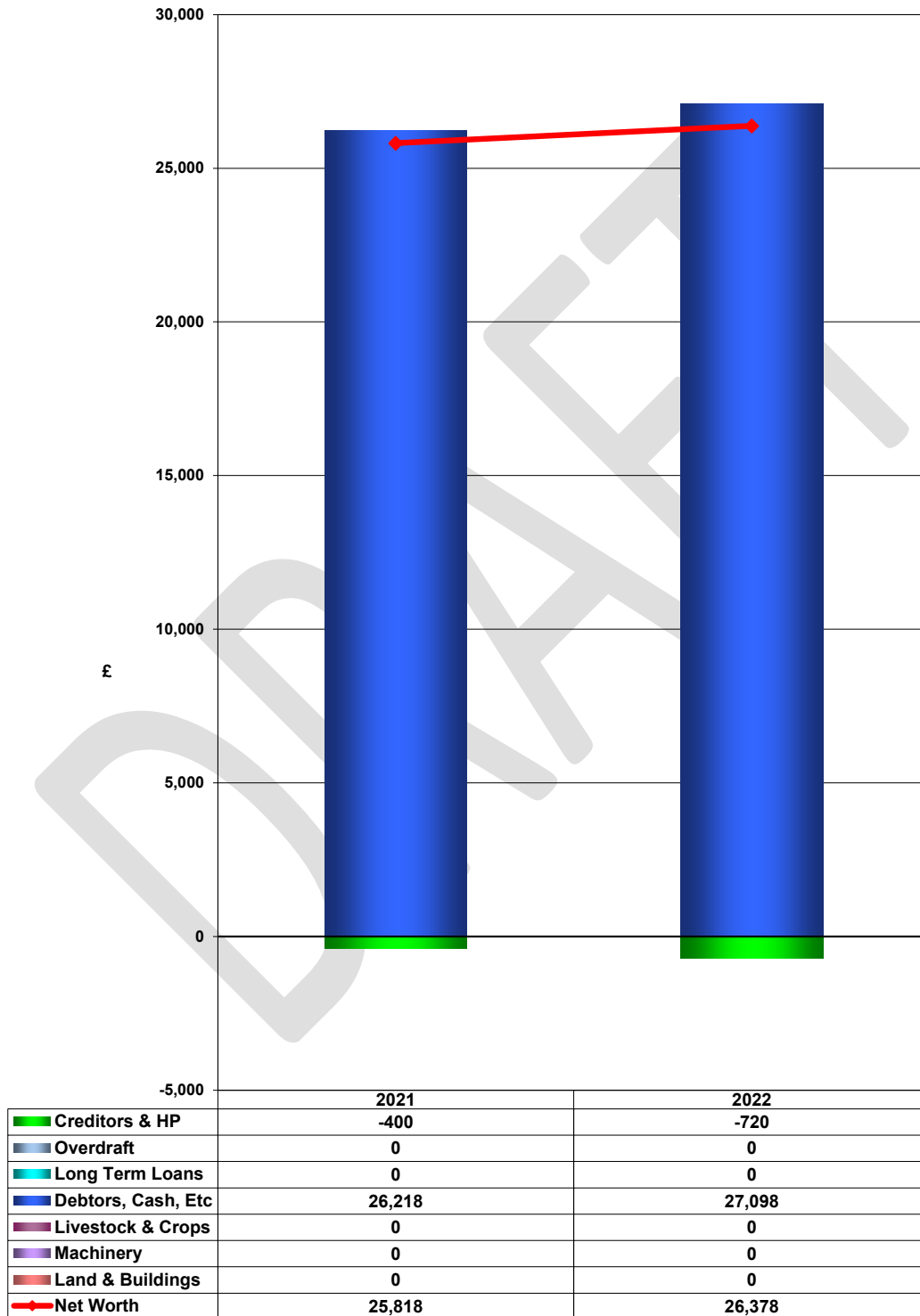
A horse arena is available on site where livery clients can school their horses.

A further barn stores the businesses equipment comprising tractor, grass topper, harrows, roller and loadall. Horse shavings and purchased forage stocks are also stored in this barn.

FINANCIAL PERFORMANCE

A financial appraisal was completed on the most recent financial accounts for the business (Year-end 31st March 2021 and 2022). This found the business to be in sound financial health with a strong balance sheet.

Balance Sheet Trends



The business is fortunate to have no overdraft or borrowing and cash in the bank.

Owner equity was between 97 and 98% in the three years analysed which is well above the “safe” threshold of 70% for an owner-occupied business.

A profit was recorded in each of the years analysed.

Example Farm

Profit & Loss Summary

	Year ended	£		
		2021	2022	2 Yr Ave.
Gross Output		53,380	65,208	59,294
Variable Costs		12,660	16,495	14,578
Gross Margin		40,720	48,713	44,717
Employed Labour		0	0	0
Power & Machinery Expenses		3,848	1,546	2,697
Property & General Overheads		4,420	4,708	4,564
Total Fixed Costs		8,268	6,254	7,261
Gross Profit		32,452	42,459	37,456
Finance & Rent		1,800	1,899	1,850
Net Profit		30,652	40,560	35,606

PROPOSED SITING OF NEW DWELLING

Linsay proposes to build a dwelling on her own land within walking distance of the stables and alpaca paddock. This will allow her to move out of the family home and become more independent from her parents. Although there is a cottage at Undercraig Farm, this is owned and occupied by a long-term resident and, it is not expected to come on the market in the near future. Similarly, Linsay's parents are unlikely to move from the family home as they require to be close to their own businesses which also operate from the site.

No other housing in the vicinity has been identified as available and suitable.

The building location will not impact on any areas of high environmental or conservation value. There are no known environmental designations on the unit.



Proposed site marked with a star

ANNUAL LABOUR REQUIREMENT

Calculation of Standard Hours worked.

Labour Requirement – Larch Green Alpacas			
Crops	Area (Ha)	Hours/Annum/Ha	Total Hours
Permanent Pasture*	13.66	3.1	42.34
		Sub Total	42.34

* No time has been allocated to produce forage as all hay/haylage is brought in

Livestock	Number	Hours/Annum/Animal	Total Hours
Horses (full livery)	6	660	3960
Horses (own – grass livery)	2	240	480
		Economies of scale reduction 30%	
		Sub Total	3108

** It is recognised that it does not necessarily take double the amount of time to care for two horses as it does for one. Therefore, economies of scale are applied to the labour requirements

*** Figures for horses have been taken from the Equine Business Guide, ABC, 6th Edition, 2015 to recognise the diversified nature of the business.

Livestock	Number	Hours/Annum/Animal	Total Hours
Alpacas (Males)	7	12	84
Alpacas (Breeding Females)	3	12	36
		Sub Total	120

**** There are no nationally agreed standards for an Alpaca enterprise. Neither SAC nor SGRPID have produced figures that represent 'typical' labour requirements for alpacas. The figure used above is the standard for goats which was determined to be the closest equivalent.

		TOTAL	3270.34
--	--	-------	---------

Standard Man Year (hrs);
One Full-time Equivalent.

Based on the UK Agricultural Wages Board 39 hour week.

1,900

Source: Farm Management Handbook 2020/21. These figures relate to those published in a report of the UK Farm Classification Document (October 2014) and recommends that 1900 hours of labour are equivalent to one standard annual labour unit.

Labour Requirement

1.72

The table above shows the calculated annual labour requirement for this business at Larch Green Alpacas. This is based on current stocking and cropping levels.

Taking account of the land and stocking currently managed by the business it is calculated that the labour required will be around **1.72** labour units.

This would suggest that the business has a requirement for over one and a half full time labour units.

Most figures used in this report are taken from the Farm Management Handbook 2020/21 and do not necessarily reflect the diversified nature of the Alpaca enterprises. The additional activities offered and the public facing nature of the business will undoubtedly support a higher labour requirement than is indicated above.

An Alpaca trek alone lasts around 1 hour, with grooming, feeding, mucking and fitting a head collar being additional. The figures used in the table above do not reflect the additional labour requirement for the trekking aspect of the business.

Additionally, as there are no nationally agreed standards for an Alpaca enterprise the standard for goats has been used instead. This will not entirely be reflective of the workload involved in caring for Alpacas particularly breeding females.

Based on these figures it is apparent that having a dwelling on site would be most advantageous for Lindsay who undoubtedly must be working over and above the standard of 1900 hours. (Source – Farm Management Handbook 2020/21).

ADDITIONAL POINTS OF NOTE

Animal Health and Welfare

It can be deemed necessary that a trained and experienced person is always on site to cater for stock management as well as animal health and welfare issues. Alpacas are herd animals and crucially are reluctant to show any signs of ill health. Once they appear unwell, they are often in a much poorer condition than they would be if they had shown earlier signs of illness. It is therefore essential to closely observe them to spot anything unusual regarding their behaviour, feeding, movement etc.

Although the rest of the family live on farm they are kept occupied with their own businesses and will not be familiar with the normal behaviour patterns of the alpacas so will be less equipped to identify signs of an animal in poor health.

A full-time presence on site is more important with breeding livestock as supervision is often needed during the later stages of pregnancy and labour (Unpacking). Newborn cria may need assistance in standing and suckling or require to be housed with their dam for shelter. In exceptional cases a dam may fail to bond with their offspring necessitating bottle feeding. This must be done every 1-2 hours initially and further supports the requirement to always have a stocksperson on site.

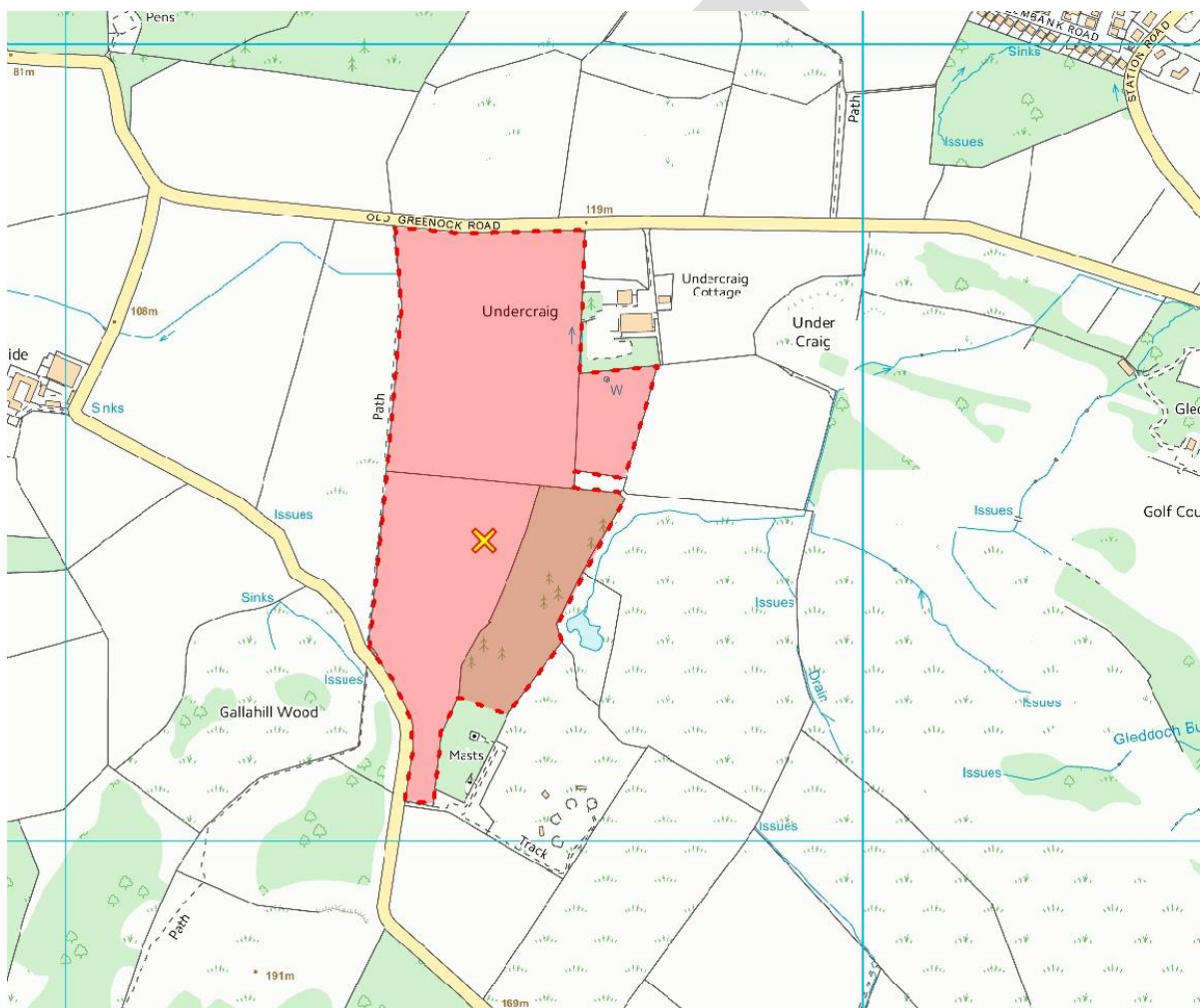
Security, Safety and Environmental Protection

Theft in rural communities is on the rise, due to the high valuation of stock and equipment on farm it is desirable that someone is always around the premises.

A recent police incident (Police incident Numbers PS-202109204-3249 and PS-20210913-0966) recorded on farm saw a stolen car torched next to coniferous woodland. This incident caused a large amount of stress for the neighbouring grazing horses and could have resulted in animals harming themselves in their efforts to escape. The area is also subject to fly tipping and illegal dumping.

The site of the proposed dwelling is in the same area, and it is hoped a presence here will deter such criminal activity.

APPENDIX 1 – Farm Boundary Map



MEMORANDUM

Environment, Housing & Infrastructure

Director: Gordon McNeil

Tel: 07768 988 074 Fax: 0141 618 7500
My Ref: CH/WH/LC
Your Ref: 23/0158/PP
Ask For: William Holmes
Date: 9 May 2023



To: Gwen McCracken, Development Standards Manager
Chief Executive's Service

From: Colin Hunter
Environmental Health Manager- Public Health

Application Number: 23/0158/PP

LOCATION: Site 500 Metres South West Of Undercraig
Farm House, Gallahill Road, Langbank

The application is for a residential property and associated outbuilding on agricultural land. To allow this Service to fully consider our response to the application it is recommended that the attached 'Agricultural Land' questionnaire is provided to the applicant and ask that it is completed and returned prior to determination of the application.

William Holmes
Environmental Health Officer

James Weir

From: Laura Toal
Sent: 02 June 2023 14:35
To: MBX-dc.pl
Cc: James Weir; William Holmes
Subject: FW: Planning application 23-0158-PP - New dwellinghouse at Gallahill Road, Langbank
Attachments: FOR ISSUE EI-63 rev2 Agricultural Questionnaire V1.4.docx; Site plan 230158PP.pdf

Afternoon James/DC

Following receipt of the completed agricultural questionnaire from the applicant (attached), we have no further comments on this application

Kind regards

Laura

Laura Toal
Specialist Contaminated Land Officer
Environment, Housing and Infrastructure
Renfrewshire Council

Tel: 07985 714 817
Email: laura.toal@renfrewshire.gov.uk

From: Larch Green Alpacas <larchgreenalpacas@gmail.com>
Sent: 02 June 2023 14:20
To: James Weir <james.weir@renfrewshire.gov.uk>; e-prot.es (ESAlias09) <e-prot.es@renfrewshire.gov.uk>
Subject: Planning application 23-0158-PP - New dwellinghouse at Gallahill Road, Langbank

Sending again with a Site plan also attached.

Kind regards,

Linsay de Freitas

Planning Application No: 23/0158/PP Dated 20 April 2023 Received *

Applicant	Mrs Linsay De Freitas
Proposed Development	Erection of dwellinghouse and livestock barn (in principle).
Location	Site 500 Metres South West Of Undercraig Farm House Gallahill Road Langbank
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

Further to visiting the site and discussions with the applicant, details have been received showing how the applicant will from four passing places on Galahill Rd along with the relocation of the access to the gate alongside the access to the mast
The existing field access can remain for occasional plant and equipment access

Conditions

- Provide and maintain sightlines in both directions ensuring 30m can be seen in both directions along the main road from a point 4.5m in from the roadside, on the new access
- The new access should be a min of 5m wide with 6m radii corners for the first 25m, no steeper than 1/20 shaped to stop water from the new access flowing onto the existing carriageway
- Tarmac or another hard surfacing shall be provided on the access for first 5m, to prevent stones being dragged onto the main road
- Any gates on the new access should be at least 15m in to allow a vehicle with trailer to sit off

the road whilst the gates are opened

Notes for intimation to Applicant

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

Signedjohn everett..... Date15/05/23.....
Head of Operations & Infrastructure

Proposed Passing Places

Passing place 1: An area on each side of the road would need to be dug out and replaced with hard standing here to allow enough space for 2 cars passing.



Passing place 2: On the left hand side on the corner traveling up the hill – this area could be scraped back to allow for a second passing place.

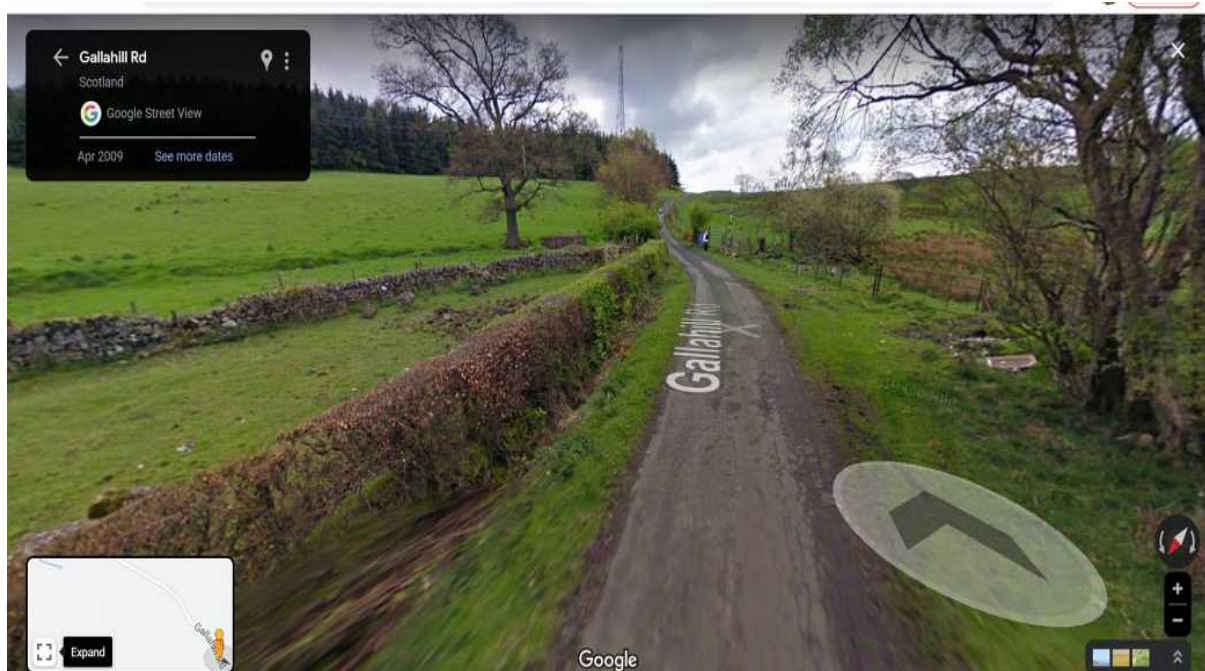


Passing place 3:

The area to the right hand side before the gateway can be scraped back to make another passing place.



The area below on the right hand side has already been made into a passing place.

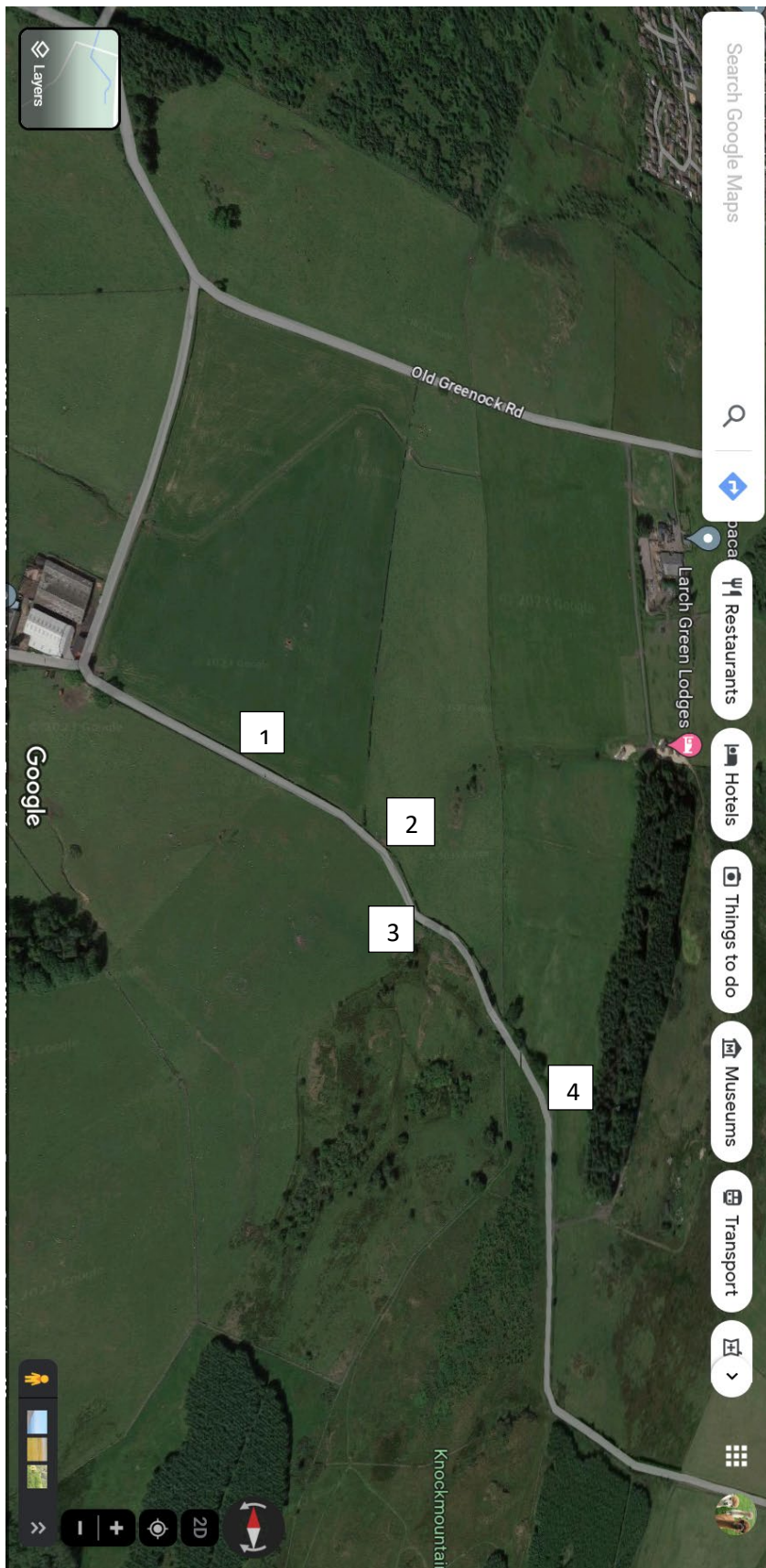


Passing place 4:

A pipe can be fitted in the ditch to allow this area on the left hand side at the gateway to be widened allowing enough space for 2 cars to pass.



Position of new potential passing place shown on next page.



Renfrewshire Council

Redevelopment of Agricultural Land & Buildings Questionnaire (v.1.4)

This questionnaire has been developed as a tool to assist developers and consultants in evaluating the potential for contamination on agricultural land and 'greenfield' sites, and documenting this assessment.

Any 'Yes' or 'Don't Know' responses should prompt further comment/action to establish the potential relevance and significance.

Site Name: 500 Metres South West Of Undercraig Farm House Gallahill Road Langbank
Planning Application Number: 23/O158/PP
Please confirm site location plan/map is attached: yes

	Yes	Don't Know	No
Are slurry pits, manure heaps or septic tanks known or suspected to be present on the site?	X		
Have sewage farming / slurry spreading been undertaken on the site?			X
Has any part of the site been used as an orchard?			X
Has any part of the site been used for carcass burial?			X
Has any part of the site been used for sheep dipping, storage or disposal of sheep dip chemicals?			X
Has any part of the site been used for the storage, use or disposal of agricultural chemicals, such as preservatives or pesticides?			X
Has any part of the site been used for timber processing or treatment?			X
Have industrial wastes or (by-products such as soil conditioners) been used on any part of the site?			X
Has any part of the land been used for field sports?			X
Has any part of the site been used for the storage of liquid fuel, such as petrol, diesel, DERV, kerosene?			X
Has any part of the site been used to store/maintain vehicles?			X
Has any part of the site been used for disposal of solid farm waste (burial / landfilling)?			X
Has any part of the site been used for bonfires/waste burning /incineration?			X
Is asbestos known or suspected to be present in the fabric of any buildings/animal shelters present?			X
Has any part of the site been used for any 'diversification activities' (e.g. scrap waste processing, storage/contracting etc.)?			X
Has any part of the site been levelled / backfilled (e.g. quarries / ponds etc)?			X
Has any part of the site been used for wartime military use?			X
Has the potential for naturally occurring contaminants (e.g. ground gas, metals,			X

radon) been considered and discounted?			
--	--	--	--

Adjacent Land	Yes	Don't Know	No
Are any of the above issues present / suspected on adjacent land which could adversely impact the site under study? If so, please detail below		X	

Please give the source of all available information used to answer these questions and an indication of the time period which it covers (continue on separate sheet/reverse side if required):	
Source e.g. Previous farmer/operator	Time Period Covered - e.g.1975-1990
Family have lived at Undercraig Farm for 35 years	The past 35 years

If you have answered yes to any of the above questions please provide additional mitigating comment below (*continue overleaf if necessary*):

Small manure heap currently on site (since early 2023) to be used as fertiliser on lower fields. This can be moved immediately if need be.

PLEASE NOTE – YOUR RESPONSE WILL BE PLACED IN THE PUBLIC DOMAIN

Signed *L de Freitas*

Date 02.06.2023

Name
(Block Capitals)___ LINSAY DE FREITAS _____

Organisation ___ LARCH GREEN ALPACAS _____

Thank you for completing this questionnaire. Please include it within your site investigation report or scan and email or post it (along with a map of your subject site) to the address below.

e-prot.es@renfrewshire.gov.uk
 FAO Contaminated Land Officer
 Environmental Improvements
 Environment, Housing and Infrastructure
 Renfrewshire Council,
 Renfrewshire House,
 Cotton St,
 Paisley, PA1 1BR

My Ref:
Contact: James Weir
Telephone: 07483 370666
Email: dc@renfrewshire.gov.uk
Date: 20 September 2023



Ciaran Bradley
AXN Architecture
Twenty
Middlepenny Road
Langbank
PA14 6XB

Proposal: Erection of dwellinghouse and livestock barn (in principle).
Location: Site 500 Metres South West Of Undercraig Farm House, Galahill Road, Langbank, ,
Application Type: Planning Permission in Principle
Application No: 23/0158/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. 23/0158/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

Mrs Lindsay De Freitas
Undercraig Cottage
Old Greenock Road
Langbank

PA14 6YS

With reference to your application registered on 28 March 2023 for Planning Consent for the following development:-

PROPOSAL

Erection of dwellinghouse and livestock barn (in principle).

LOCATION

Site 500 Metres South West Of Undercraig Farm House, Galahill 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: 18 September 2023


Signed
Appointed Officer
on behalf of Renfrewshire Council

Ref. 23/0158/PP

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposed development does not comply with Policies 8, 16 and 17 of National Planning Framework 4 or Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2022 and the New Development Supplementary Guidance on Housing in the Green Belt as the business owner already resides at the site and a site specific operational need for the dwelling has not been demonstrated.

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: 23/0158/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd: 5 April 2023
Applicant	Agent	
Mrs Lindsay De Freitas Undercraig Cottage Old Greenock Road Langbank PA14 6YS	Ciaran Bradley AXN Architecture Twenty Middlepenny Road Langbank PA14 6XB	
Nature of Proposals Erection of dwellinghouse and livestock barn (in principle).		
Site Site 500 Metres South West Of Undercraig Farm House, Gallahill Road, Langbank,		
Description <p>This application seeks planning permission in principle for the erection of a dwellinghouse and livestock barn on grassland accessed from Gallahill Road to the south west of Langbank. The dwellinghouse and barn would be associated with a business called Larch Green Alpacas who currently use the grassland to keep alpacas. The business also breeds alpacas, and offers guided walks. The applicant is the owner of this business, and they currently reside in Undercraig Farm approx. 500m to the north of the site.</p> <p>The site is located on elevated ground overlooking the River Clyde. It is bound by woodland to the east, Gallahill Road to the south west, and grassland to the west and north. The site is approx. 1.15 hectares in area. The indicative plans submitted with the site indicates that the dwellinghouse and barn would be positioned along the eastern side of the site adjacent to the woodland, with access via Gallahill Road. The application site is located approx. 1km south of Langbank, whilst Kilmacolm is located approx. 2km to the south-west and Bishopton 5km to the east.</p>		
History <p>No previous applications.</p>		
Policy and Material Considerations <p>Legislation requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the proposal must be assessed against the following:</p> <p><u>Development Plan</u></p> <p>NPF4: Policy 8 - Green belts NPF4: Policy 16 – Quality homes NPF4: Policy 17 – Rural homes LDP 2021: Policy ENV1 - Green Belt</p>		

<p><u>Supplementary Guidance</u></p> <p>Delivering the Environment Strategy</p>
<p>Publicity</p> <p>An Advert was placed on the press on 26 April 2023 for the following reason; Neighbour Notification.</p>
<p>Objections/Representation</p> <p>None received.</p>
<p>Consultations</p> <p>Chief Executive's Service (Roads Development) – No objections subject to conditions relating to provision of sight lines, configuration and surfacing at the access, and layout of any gates</p> <p>Communities & Housing Services (Environmental Protection Team) – No comments.</p> <p>Informative to be added: None</p>
<p>Assessment</p> <p>National Planning Framework 4 (NPF4) provides the long-term national spatial strategy for planning in Scotland. It sets out the Scottish Government's current view on delivering sustainable, liveable, and productive places through the application of spatial principles. Policies 8, 16 and 17 of NPF4 and Policy ENV1 of the adopted Renfrewshire Local Development Plan (LDP) are relevant to the assessment of this application as they set out specific circumstances in which new residential accommodation will be supported in principle in green belt and rural areas.</p> <p>Policy 8 of NPF4 states that development proposals will only be supported if they are for residential accommodation required and designed for a key worker in a primary industry within the immediate vicinity of their place of employment where the presence of a worker is essential to the operation of the enterprise, or retired workers where there is no suitable alternative accommodation available.</p> <p>Policy 16 of NPF4 states that proposals for new homes on land not allocated for housing in the local development plan will only be supported in limited circumstances. This includes when the proposal would be consistent with policy 17 on rural homes.</p> <p>Policy 17 of NPF4 states that development proposals for new homes in rural areas will be supported where the development is associated with one of several different scenarios. This includes where it is demonstrated to be necessary to support the sustainable management of a viable rural business and there is an essential need for a worker to live permanently at or near the place of work, or the development is for a single home for the retirement succession of a viable farm holding.</p>

Policy ENV1 of the LDP and the associated guidance on housing in the green belt states that the development must be justified against the majority of the assessment criteria. This includes that 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, and that it is demonstrated that there is a need for the residential use to be located outwith a settlement.

The supporting information confirms the scope of the business and the nature of the activities undertaken. The business was established in 2019, and includes alpaca trekking and events, wool production, associated alpaca gift shop, a breeding programme for the alpacas and a livery yard for horses. The supporting information also sets out the anticipated expansion of the business over the next 5 years.

The owner of the business already lives on site at Undercraig Farm with other family members and it is asserted that the current arrangement is untenable, and that the vision for the expansion of the business cannot be achieved while the owner still lives in the family accommodation. Separate accommodation and additional livestock barn are therefore sought to ensure the expansion can be realised.

However, the connection between the separate accommodation requirement being a prerequisite for further expansion of the business has not been sufficiently demonstrated. The owner already has a presence on site, and this arrangement could be maintained alongside any expansion of the business. Additionally, and notwithstanding this the provision of additional accommodation to facilitate the splitting of a family unit is not referred to as an acceptable justification for a new dwellinghouse in any of the policies mentioned above.

The application is also supported by a Labour Requirements Report. The report calculates that the labour requirements associated with the business is 1.7 units. This would suggest that the business has a requirement for over one and a half full time labour units. It is noted that as there is no nationally agreed standard for an alpaca enterprise the standard for goats has been used instead. Notwithstanding, a labour requirement does not justify the need for residential accommodation at this location. A robust site specific operational requirement must be demonstrated for the erection of dwelling to be supported at the site and it is noted that the applicant already currently resides nearby 500m to the north of the site. Furthermore, there are several settlements and residential areas within reasonable proximity that would also allow for other accommodation options to be taken up by the applicant.

It is accepted that the business enterprise aspect is acceptable within the green belt. The requirements of the business with respect to the labour units are noted, as are the activities specific to the breeding of alpacas and the offer of trekking and other experiences.

While the nature of the current residential accommodation may not be the preferred choice for the owner, this does not justify the requirement for additional and separate residential accommodation from which the owner could undertake the same tasks as at present. Furthermore, no site specific operational requirement has been demonstrated.

Whilst it is noted that at times of the year there are rigorous demands for an on site presence such as at breeding it is not considered that the requirement for a worker to live on site throughout the year can be fully justified as essential to the operation of the business. Furthermore, the applicant already has a presence on site and the site is not considered to be within in an isolated location. There are other residential areas within reasonable proximity that could provide other accommodation options. As such, it is considered that whatever presence is required on site can

reasonably be catered for.

In view of the above assessment and given the current circumstances, it is not considered that any of the relevant policies or guidance noted above provides support in principle for the residential accommodation being proposed. It is therefore recommended that the application is refused.

Index of Photographs

A site visit has been undertaken on 20 April 2023, and photographs relevant to the application have been archived.

RECOMMENDATION

Refuse

Reason for Decision

1. The proposed development does not comply with Policies 8, 16 and 17 of National Planning Framework 4 or Policy ENV1 of the Adopted Renfrewshire Local Development Plan 2022 and the New Development Supplementary Guidance on Housing in the Green Belt as the business owner already resides at the site and a site specific operational need for the dwelling has not been demonstrated.



Alasdair Morrison
Head of Economy and Development

Applicant: Mrs Linsay De Freitas	Ref. No: 23/0158/PP
Site: Site 500 Metres South West Of Undercraig Farm House Gallahill 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) ✓
02	Proposed Dwelling Barn Block Plan Location	✓	✓
01 A	Location Plan	✓	✓

Officers Initials: JW

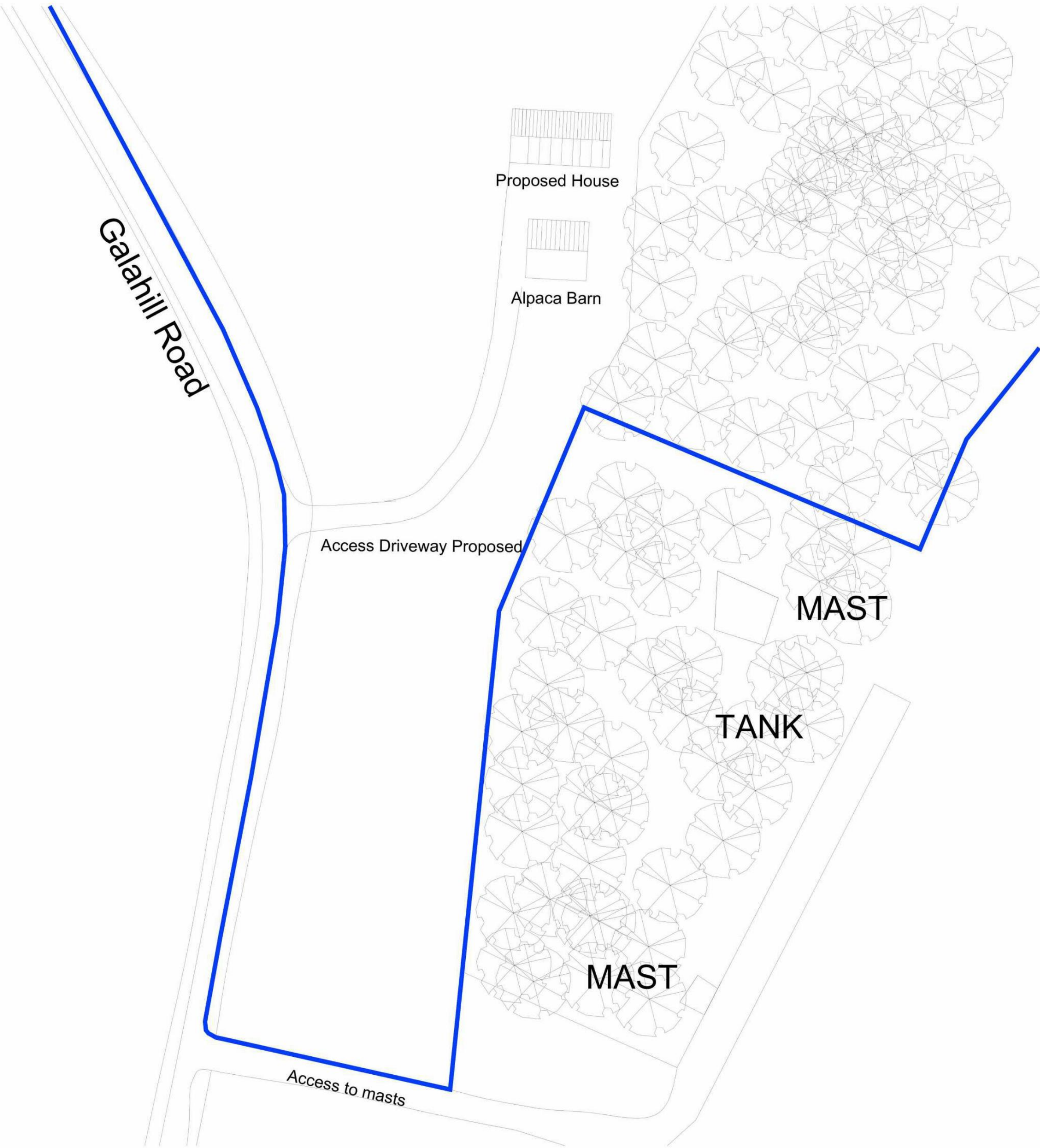
Business Support Initials: ____DM____

<p align="center">RENFREWSHIRE COUNCIL <u>Town and Country Planning (Scotland)</u> <u>Act 1997</u></p>	
<p>Application No. 23/0158/PP</p>	
<p>REFUSED on 18.09.2023</p>	
<p>Signed by </p>	
<p>On behalf of Renfrewshire Council</p>	
<p align="center">Page 688 of 690</p>	

Agricultural holding number CPH - 90/726/0065

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- 2. All dimensions to be checked on site.
- 3. Do not scale from this drawing.
- 4. Any drawing errors or divergences should be brought to the attention of the originator of the drawing. If in doubt, ask.

Rev:	Date:	Drawn/ App.	Description
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RENFREWSHIRE COUNCIL

Town and Country Planning (Scotland)

Act 1997

Application No. 23/0158/PP

REFUSED

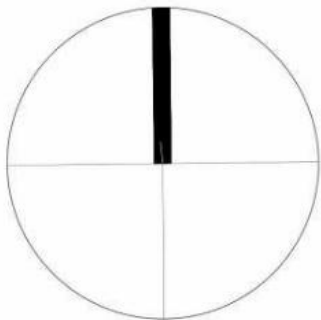
on

18.09.2023

Signed by

On behalf of Renfrewshire Council

Proposed Block plan @ 1:500



Job Title: Proposed Dwelling House with Barn, Langbank PA14 6YS			
Drawn by:	ZM	Project No.:	23001
Controlled by:	CB	Scale:	1: 500
Approved by:		Date:	2023.03.05
Drawing No.	02	Revision	
Proposed Dwelling Barn Block Plan location.			

AXN

ARCHITECTURE

AXN ARCHITECTURE
20 Middlepenny Road,
Langbank,
PA14 6XB

info@AXNArchitecture.co.uk
www.axnarchitecture.co.uk

Agricultural holding number CPH - 90/726/0065

Ref easting 237,540 Northing 672254

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Rev:	Date:	Drawn/ App.	Description
A	04/04/23	zm/cb	site boundary added

RENFREWSHIRE COUNCIL

Town and Country Planning (Scotland)

Act 1997

Application No. 23/0158/PP

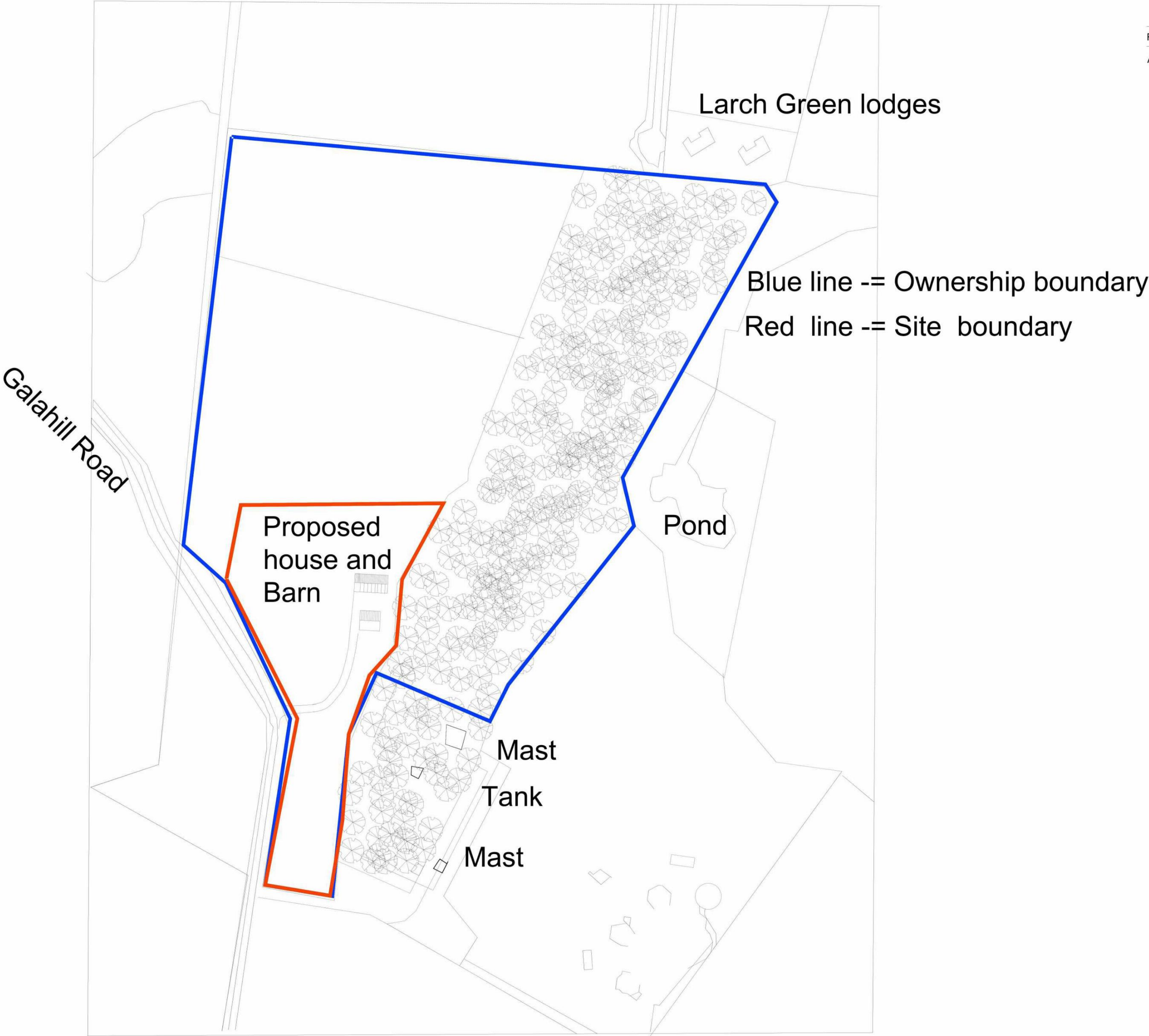
REFUSED

on

18.09.2023

Signed by

On behalf of Renfrewshire Council



Job Title: Proposed Dwelling House with Barn, Langbank PA14 6YS			
Drawn by:	ZM	Project No.:	23001
Controlled by:	CB	Scale:	1: 1250
Approved by:		Date:	2023.03.05
Drawing No.	01	Revision	A
Location plan			

Block Location Plan 1:1250

AXN

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