PLANNING AUTHORITY'S SUBMISSIONS

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

Renfrewshire Council

Stephen Govan

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

Dear Sir/Madam,

NOTIFICATION OF REFUSAL OF CONSENT

The Council has decided to refuse your application, details of which are given above. I enclose a Decision Notice which provides details of the reasons for refusal. I also enclose a copy of your submitted plans duly endorsed.

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

Yours faithfully,

[redacted]

Alasdair Morrison
Head of Economy and Development

REFUSE Consent subject to the reasons

Ref. 22/0125/PP

DECISION NOTICE

Town and Country Planning (Scotland) Act 1997
Planning etc. (Scotland) Act 2006
Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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

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

PROPOSAL
Erection of dwellinghouse with associated access (in principle)

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

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

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

PLANS AND DRAWINGS
The plans and drawings relative to this refusal are those identified in the Schedule of Plans/Drawings attached as a paper apart and forming part of this Decision Notice.

Dated: 8 July 2022

Signed .....
Appointed Officer
on behalf of Renfrewshire Council

Ref. 22/0125/PP

REASON FOR REFUSAL

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

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

2. The proposed development does not comply with Policy ENV2 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Trees, Woodland and Forestry and Local Designations as the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning Act (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to Head of Legal and Democratic Services, Renfrewshire House, Cotton Street, Paisley PA1 1PR.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Appendix 1

RENFREWSHIRE COUNCIL	**Application No:** 22/0125/PP
CHIEF EXECUTIVE'S SERVICE **RECOMMENDATION OF PLANNING APPLICATION**	**Regd:**22 February 2022

Applicant	**Agent**
Mr Arthur MacMillan Finlaystone House Finlaystone Estate Langbank Port Glasgow PA14 6TJ	Stephen Govan Ingram Architecture & Design 227 Ingram Street Glasgow G1 1DA

Nature of Proposals
Erection of dwellinghouse with associated access (in principle)

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

Description

This application seeks planning permission in principle for the erection of a dwellinghouse on a site to the west of Marypark House in Langbank. The site is accessed from Marypark Road which is a private single track road serving nine houses. Marypark Road is accessed from the A8 trunk road to the west of the site.

The application site extends to approx. 700 square metres. It is situated in an area of woodland, with rising ground and a rocky outcrop to the west and south. To the east is another development plot on which planning permission in principle for a dwellinghouse was granted in 2019. The proposed house and the consented house would share the same access. Beyond the development plot to the east is Marypark House. Marypark Road bounds the site to the north with the A8 beyond.

History

Application No: 19/0516/PP
Description: Erection of dwellinghouse and formation of access (planning consent in principle)
Decision: Grant subject to conditions

Policy and Material Considerations

Adopted Renfrewshire Local Development Plan 2021
Policy ENV1 – Green Belt
Policy ENV2 – Natural Heritage
Policy P1 – Renfrewshire's Places
Policy I1 – Connecting Places
Policy I3 – Flooding and Drainage

Draft New Development Supplementary Guidance
Delivering the Environment Strategy – Green Belt Development Criteria, Housing in the Green

Belt, Local Designations and Trees, Woodlands and Forestry
Delivering the Places Strategy – Creating Places
Delivering the Infrastructure Strategy – Connecting Places, Flooding and Drainage

Material Considerations
Renfrewshire's Places Residential Design Guide

Publicity

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

An Advert was placed on the press on 9 March 2022 for the following reasons;
Neighbour Notification.

Objections/Representation

None received.

Consultations

Environment & Infrastructure Services - (Roads) – No comments.

Communities & Housing Services - (Environmental Protection Team) – Advisory note requested should ground disturbance uncover any contamination or unusual materials.

Transport Scotland – No objections.

Glasgow Airport Safeguarding – No comments.

Applicants Supporting Information

Tree Survey – Trees within the site are entirely self seeded surviving among areas of invasive rhododendron. There are fourteen low quality trees and one medium quality cherry tree. The overall biological value of the plot is considered low.

Ecological Constraints Survey – Proposed development may impact the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland. However, the effects are likely to be short term and mainly during construction works.

If development is kept to the open area of the site, then it is likely that only limited limbing and felling of young trees would be required. The open area has previously been cleared and is now dominated by rhododendron.

The site has suitable habitat for badgers and nesting birds. However, no evidence of badgers was identified on the site. Two trees were found to be suitable for roosting bats. However again there is no evidence that they are being used by bats.

Various recommendations are made with respect to the development of the site. These include vegetation clearance outwith the bird nesting season, retention of the vegetation line along the

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

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

Assessment

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

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

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

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

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

<u>Development is required to maintain and support an established activity</u>

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

<u>There is a need for the residential use to be located outwith the settlement</u>

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

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

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

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

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

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

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

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

The proposed development does not constitute a replacement dwellinghouse.

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

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

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

There is no requirement to provide access to open space.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATION

Refuse.

Reason for Decision

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

2. The proposed development does not comply with Policy ENV2 of the Adopted Renfrewshire Local Development Plan 2021 and the draft New Development Supplementary Guidance, Trees, Woodland and Forestry and Local Designations as the development has the potential to have an adverse effect on the integrity of the Site of Importance for Nature Conservation (SINC) and the ancient woodland.

[redacted]

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

Documents

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

Plans to be stamped

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

Officers Initials: JW Business Support Initials: __DM_____

RENFREWSHIRE COUNCIL

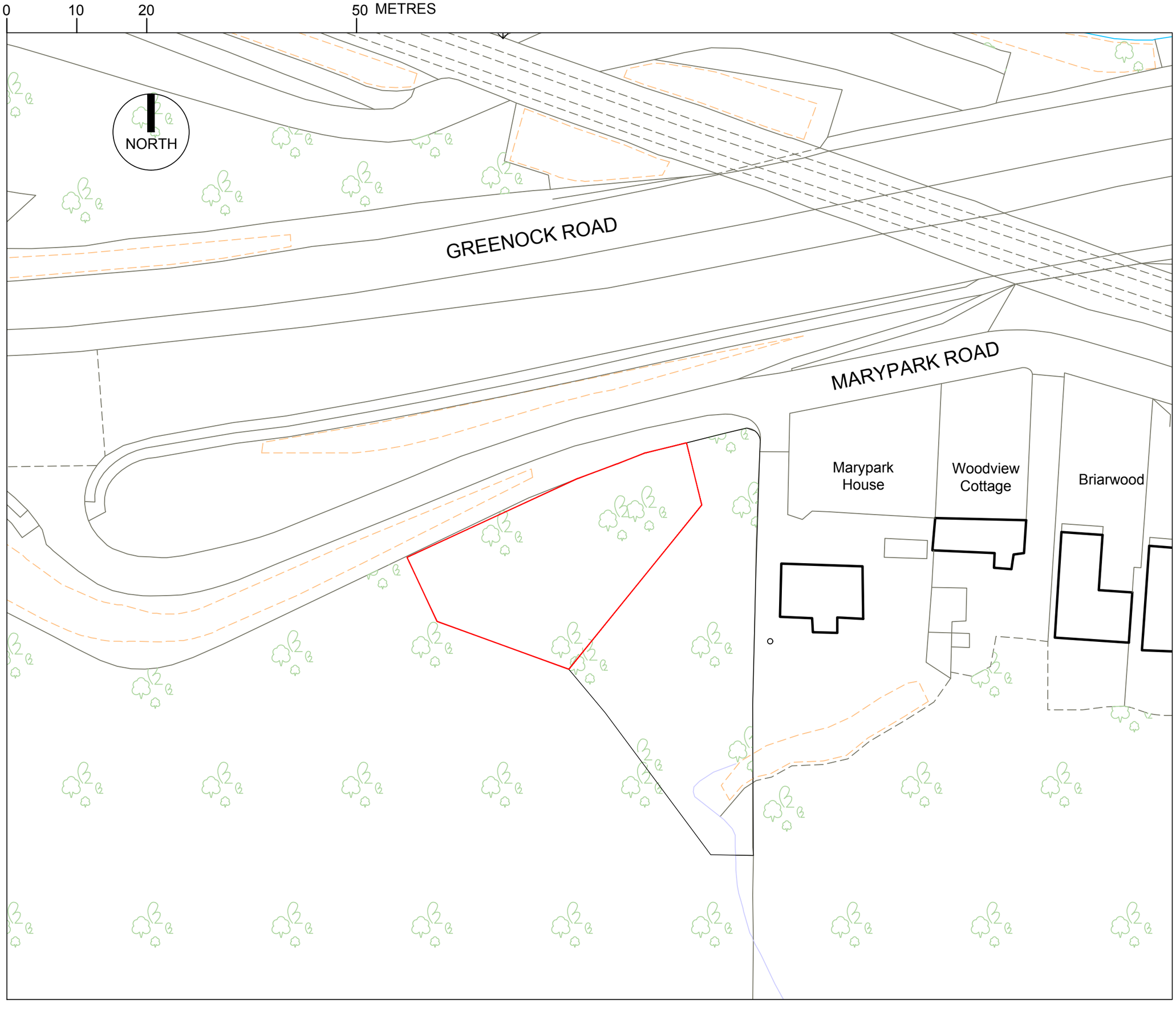
Town and Country Planning (Scotland) Act 1997

Application No. . . . . 22/0125/PP . . . . . .

REFUSED on 08.07.2022

Signed by [redacted]

On behalf of Renfrewshire Council



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revision

A	Planning	17.02.22

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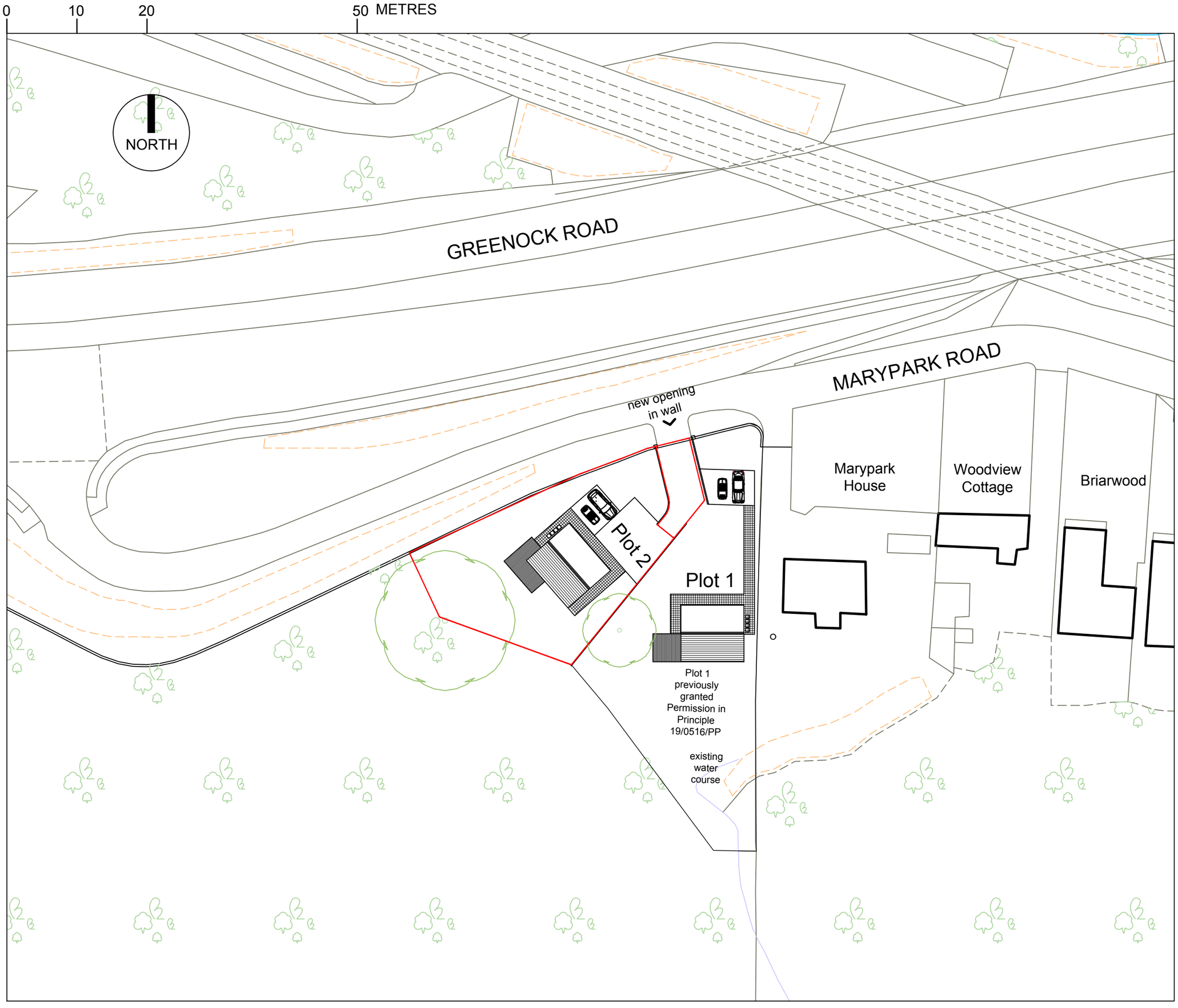
client Arthur Macmillan

project Marypark Road
Proposed Housing

drawing Site Plan
As Existing

scale 1:500@A3 date Mar 17

number 1720(2-)01 rev A



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A	Design Development	17.11.17
B	Planning	17.02.22

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Proposed Housing

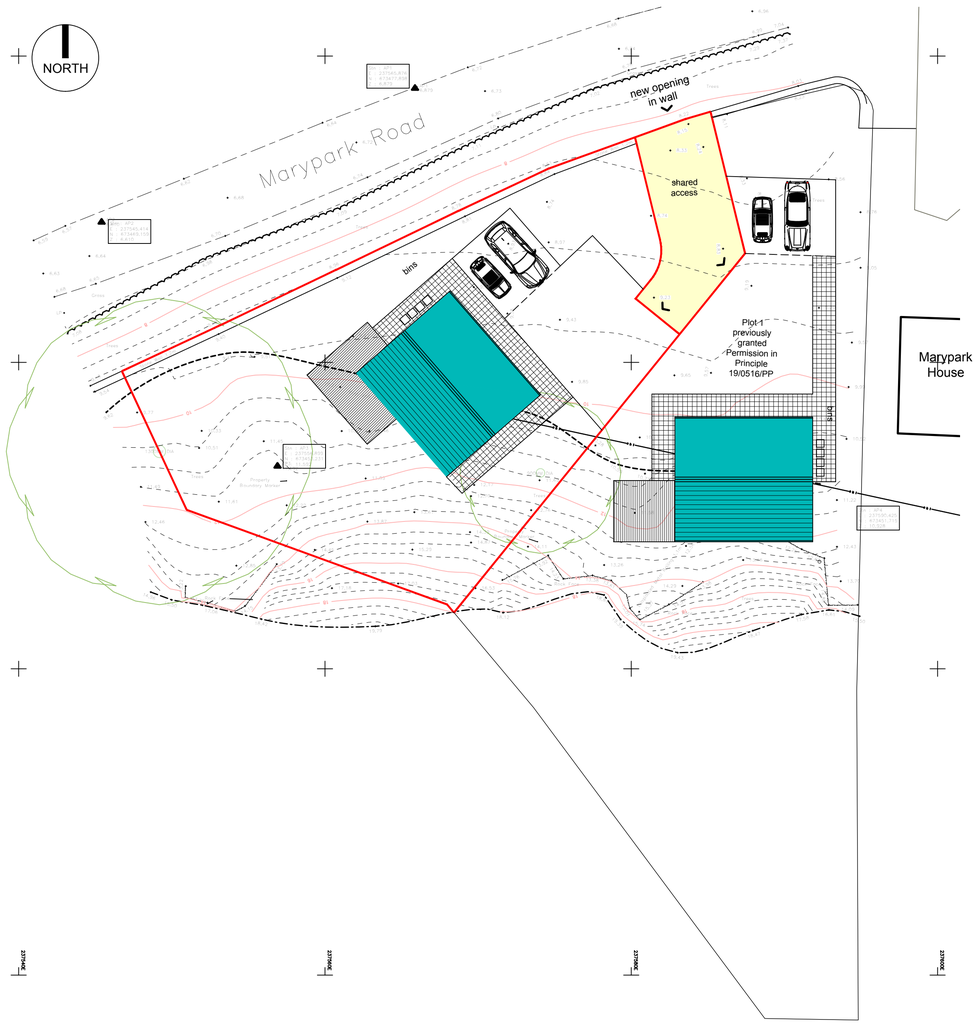
drawing Site Plan
As Proposed

scale 1:500@A3 date Mar 17

number 1720(2-)02 rev B

0 1 2 3 4 5 10 25 METRES

SITEPLAN AS EXISTING 1:200



SITEPLAN AS PROPOSED 1:200

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revision

A	-	-

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client Arthur Macmillan

project Marypark Road
Proposed Housing

drawing Existing & Proposed
Block Plan

scale 1:200@A1 date Feb 22

number 1720(2-)03 rev -

International House,
Hamilton International Park,
Stanley Boulevard,
Hamilton,
G72 0BN

www.terrenus.co.uk

MARYPARK ROAD, LANGBANK
FLOOD RISK ASSESSMENT
FOR
ARTHUR MACMILLAN

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

MARYPARK ROAD, LANGBANK
FLOOD RISK ASSESSMENT
FOR
ARTHUR MACMILLAN

SITE SUMMARY INFORMATION

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

MARYPARK ROAD, LANGBANK
FLOOD RISK ASSESSMENT
FOR
ARTHUR MACMILLAN

TABLE OF CONTENTS

1 INTRODUCTION

1.1 BACKGROUND

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

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

1.2 OBJECTIVES OF INVESTIGATION

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

1.3 SCOPE OF STUDY

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

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

1.4 PROPOSED SITE END-USE

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

1.5 LIMITATIONS OF REPORT

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

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

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

2 SITE DETAILS

2.1 DATA SOURCES

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

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

2.2 SITE LOCATION & DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2.3 SITE NEIGHBOURS

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

2.4 GEOLOGICAL SETTING

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

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

2.5 HYDROLOGY AND DRAINAGE

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

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

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

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

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

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

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

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

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

2.5.1 SEPA Flood Map

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

SEPA makes the following statement about the Flood Map:

> *"The river flood map was developed using a nationally consistent approach to producing flood hazard information, such as depth of water and speed of flow arising from river flooding. It is based on a two-dimensional flood modelling method applied across Scotland to all catchments greater than 3km^2. The river flood map includes hydraulic structures and defences such as bridges, culverts and flood storage areas where appropriate information was available.*

and

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

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

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

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

2.6 RIVER CLYDE FLOOD MODELLING

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

2.7 GROUNDWATER

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

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

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

3 FLOOD RISK ASSESSMENT

3.1 GENERAL

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

3.2 FLUVIAL FLOOD RISK

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

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

A review of the Flood Estimation Handbook Web Service (FEH13) indicates that the catchment for the watercourse located to the south of the site is less than 0.5km^2 and is therefore not recorded. Following the site walkover and a review of available topographic information and utilising the overland flow pathways, the catchment was determined. The extent of this catchment is interpreted to be 0.18km^2 and is shown on Fig 4 included in the Appendix. An outline estimation for the minor watercourse indicates a peak flow of between 400l/s and 700l/s. The watercourse culvert is likely to be steeply sloping and has been calculated to have a capacity in the order of 200l/s and is thus undersized for the potential 200 year storm event.

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

3.3 SURFACE WATER

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

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

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

3.4 LOCAL DRAINAGE

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

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

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

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

3.5 COASTAL FLOODING

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

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

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

3.6 GROUNDWATER RISE

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

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

4 DISCUSSION AND RECOMMENDATIONS

4.1 GENERAL CONCLUSIONS

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

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

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

4.2 DEVELOPMENT AND POSSIBLE MITIGATION MEASURES

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

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

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

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

4.3 EFFECTS ON SITE NEIGHBOURS

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

4.4 OVERALL FLOOD RISK ASSESSMENT CONCLUSION

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

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

- compromise options for future river management.

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

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

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

-oo000oo-

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

Signed for and on behalf of

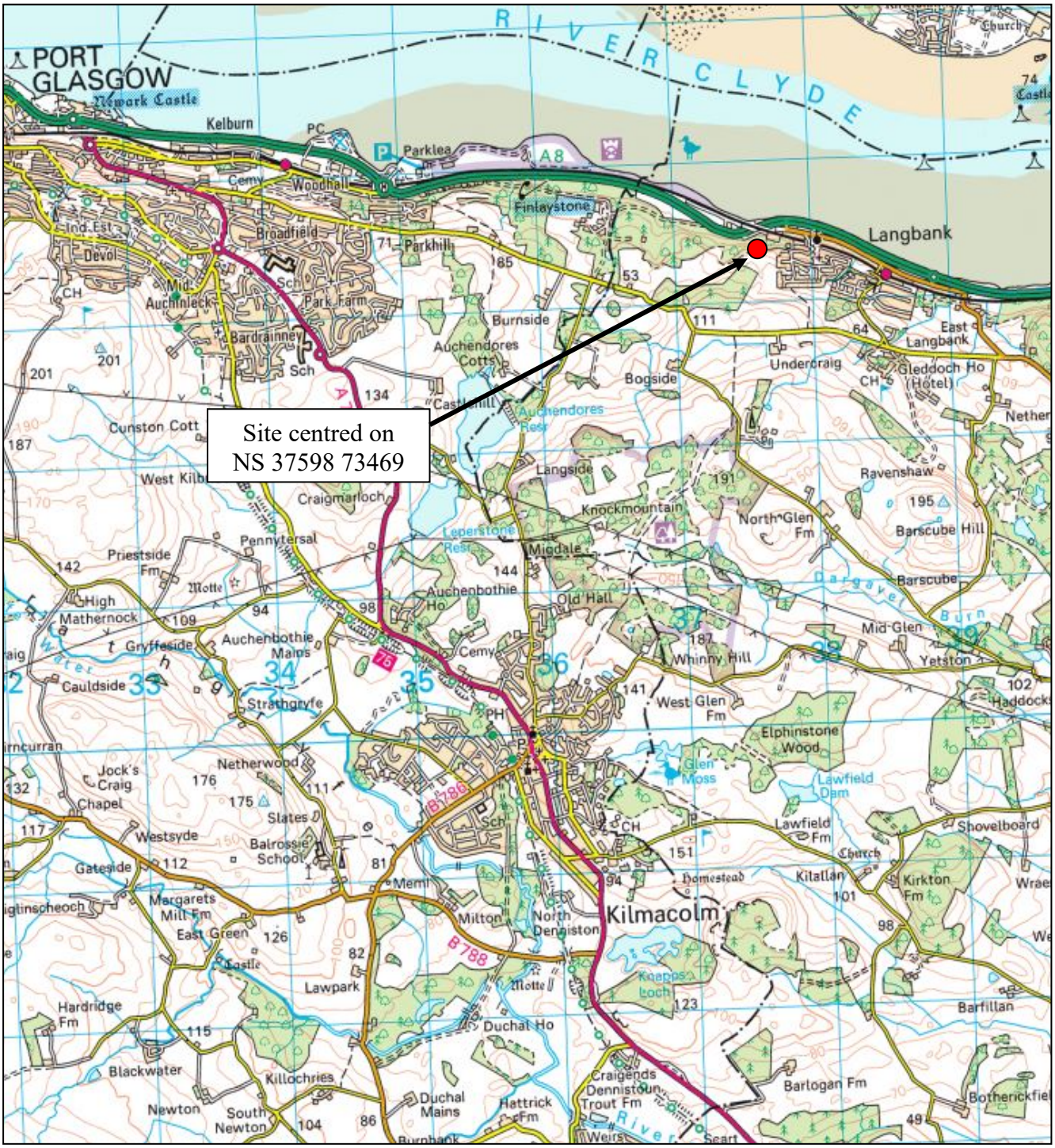
Terrenus Land & Water Ltd

William Hume

Director

APPENDIX

FIGURES



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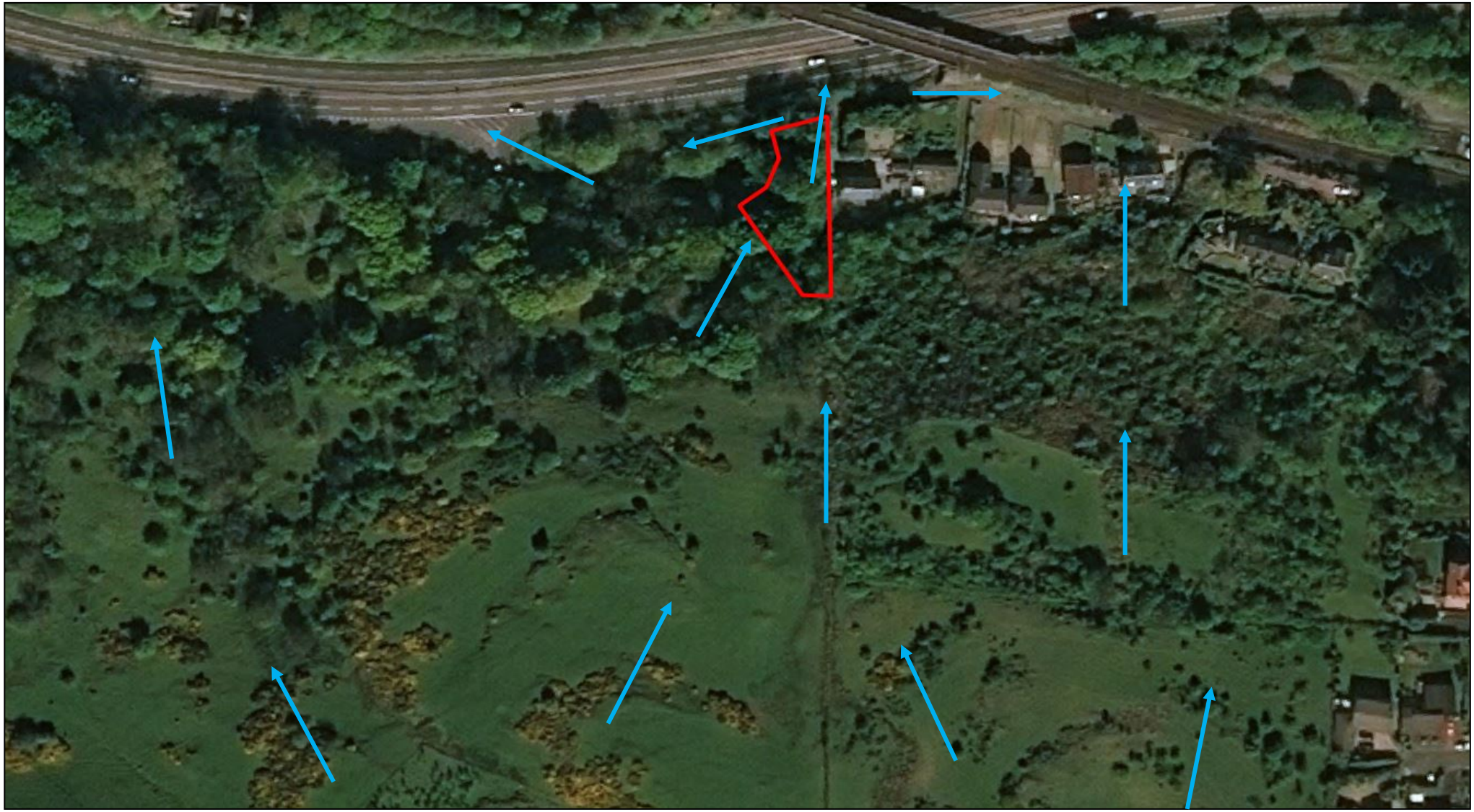
Project: Marypark Road, Langbank		
Date:19/09/2019	Figure 1	
Grid Ref: NS 37598 73469		
SCALE: N.T.S.		DO NOT SCALE

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



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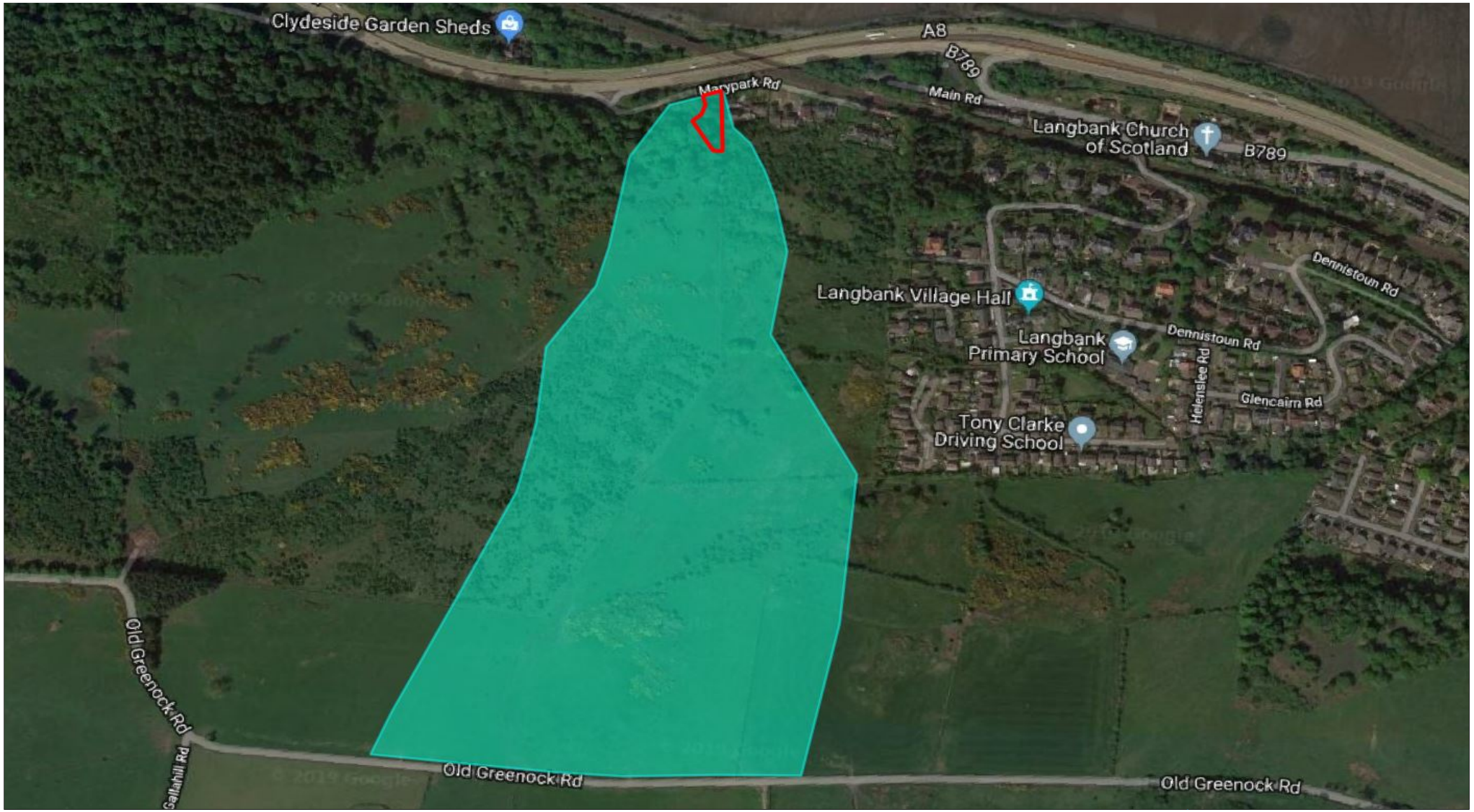


Client: Arthur MacMillan	Figure Title: Catchment Analysis	International House, Hamilton International Park, Stanley Boulevard, Hamilton, G72 0BN www.terrenus.co.uk	terrenus land&water
Project: Marypark Road, Langbank			
Date: 18/09/2019	Figure 4		
Grid Ref: NS 37598 73469			
SCALE: N.T.S.		DO NOT SCALE	

PHOTOGRAPHIC PLATES

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

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

Plate 3 – General view looking north towards site.

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

Plate 5 – View south of cleft in cliff face.

Plate 6– Culvert at base of cliff.

Plate 7 – Culvert at base of cliff looking north.

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

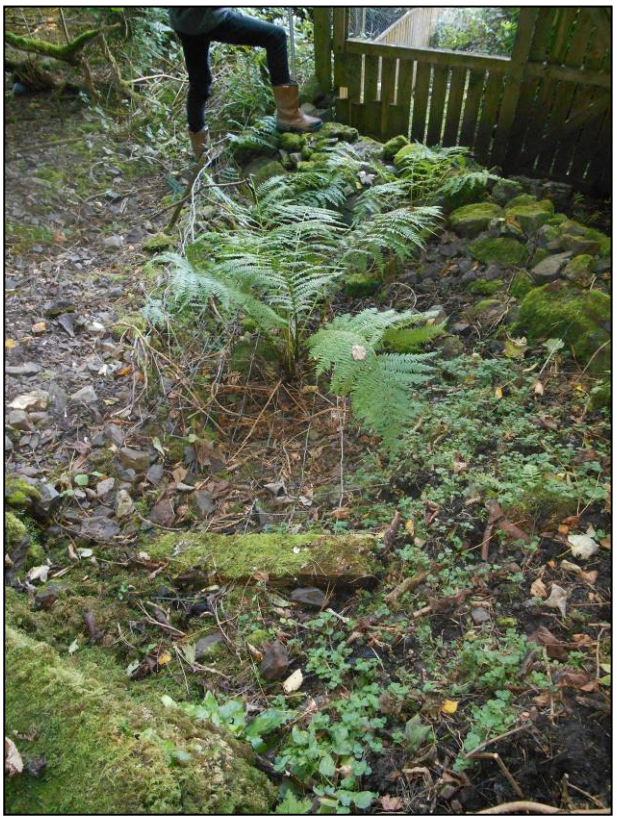


Plate 9 – Looking north along relict fenceline located between stone trough and boundary with Marypark House.

Plate 10 – Relict stonewall and fenceline.

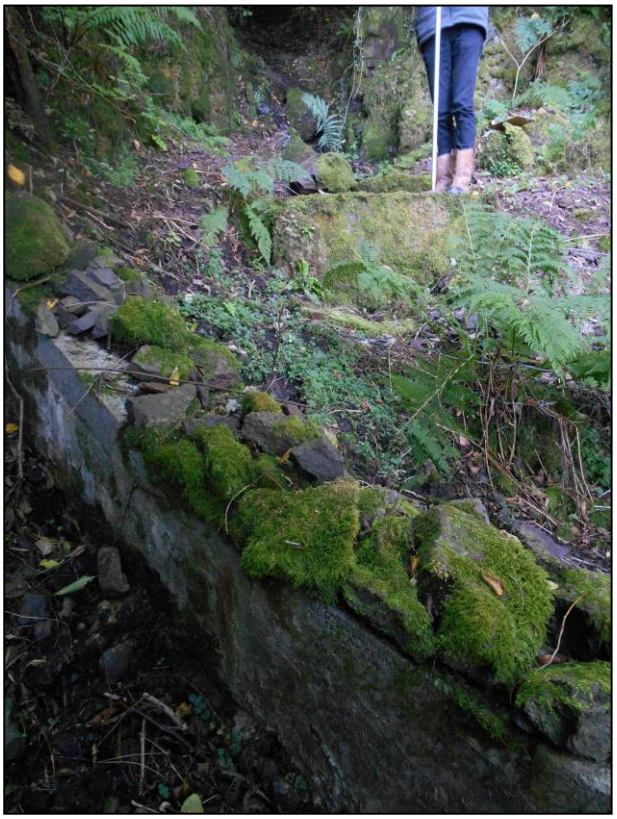


Plate 11 – Concrete wall constructed to rear of Marypark House to deflect water flow in case of blockage.

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

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

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

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

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

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

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

Tree Survey

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

Land to the South of Marypark Road
Finlaystone Estate

29th January 2022

Prepared for

Finlaystone Estate

Prepared by

C. A. Calvey, P.T.I., Tech.Cert (Arbor.A), Cert.Arb (RFS), BA Hons.

Principle Arboricultural Consultant

Ayrshire Tree Surgeons Ltd

CONTENTS

Introduction

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

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

Survey Findings

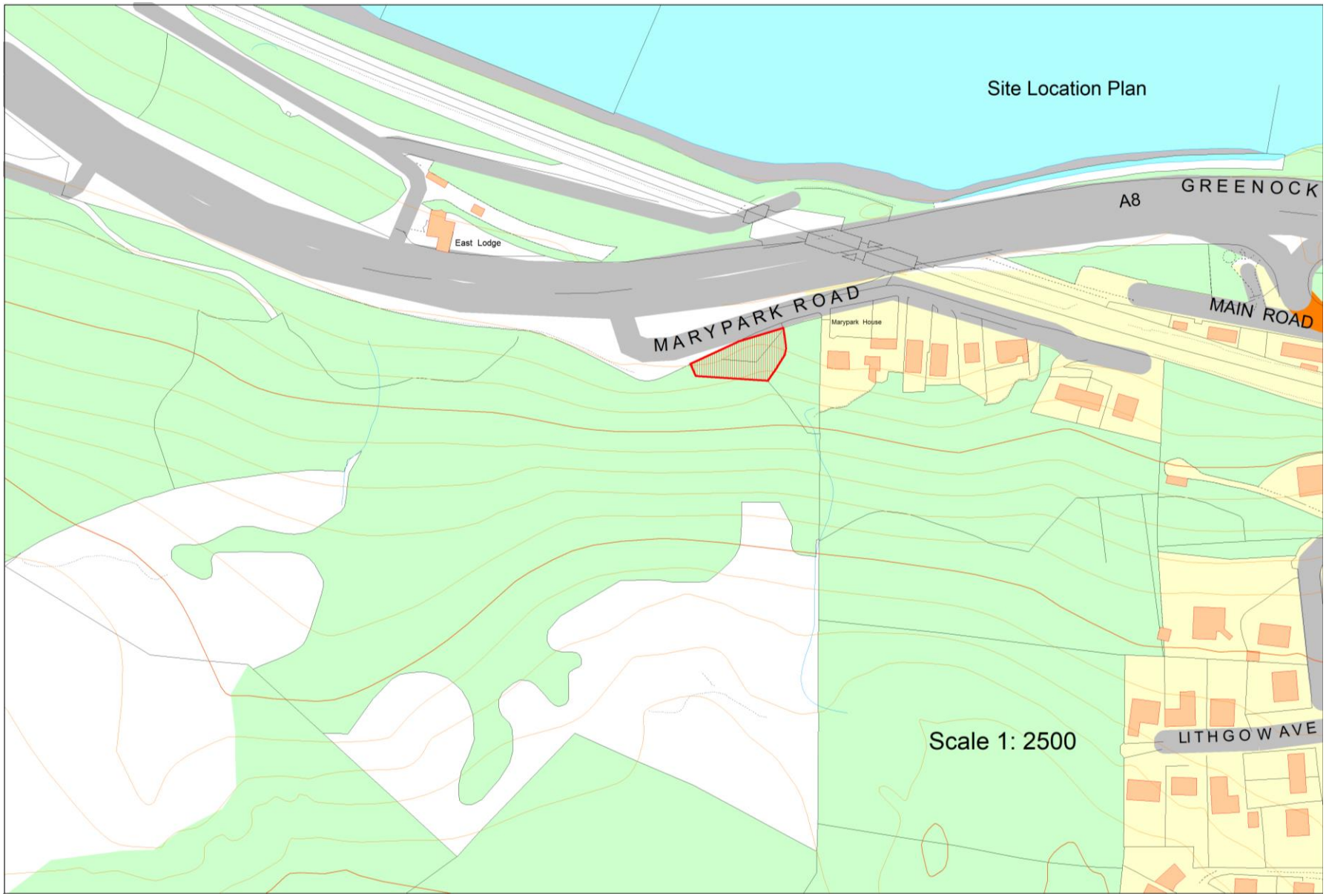
The survey area is within an unused corner of the estate and trees are entirely self-seeded specimens surviving amongst areas of invasive rhododendron. The plot falls within the SINC (non-statutory 'Site of Importance for Nature Conservation') which covers the wider Estate. Due to natural degradation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

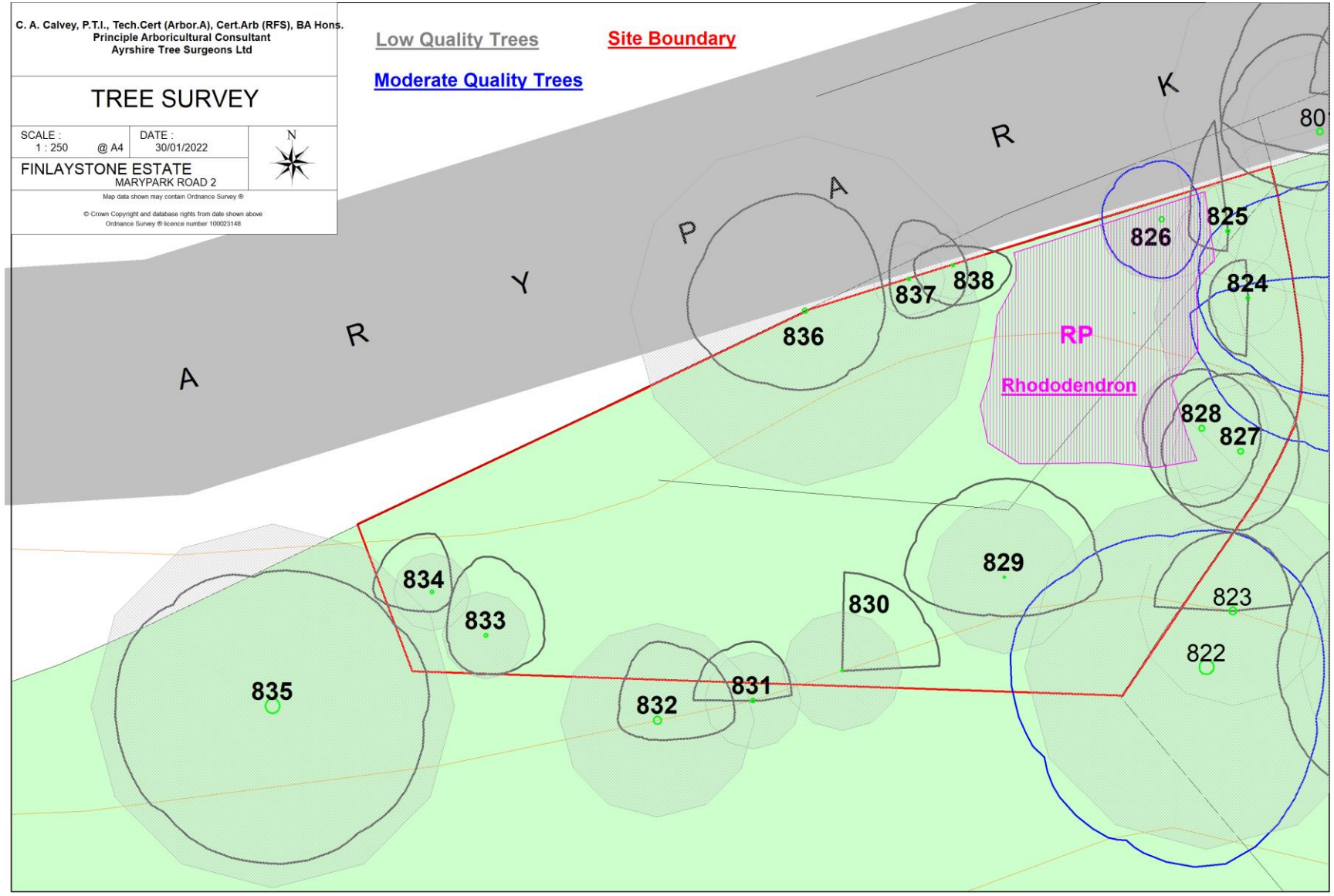
There are eleven 'C' low quality trees within the site boundary and one 'B' moderate quality young cherry tree. Trees neighbouring the site to the east and south are included in the tree survey to measure their root protection areas in proximity to the site boundary. Trees 836, 837 and 838 will cause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

Using the Report

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

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


Site Location Plan
A8
GREENOCK
East Lodge
MARYPARK ROAD
Marypark House
MAIN ROAD
Scale 1: 2500
LITHGOW AVE

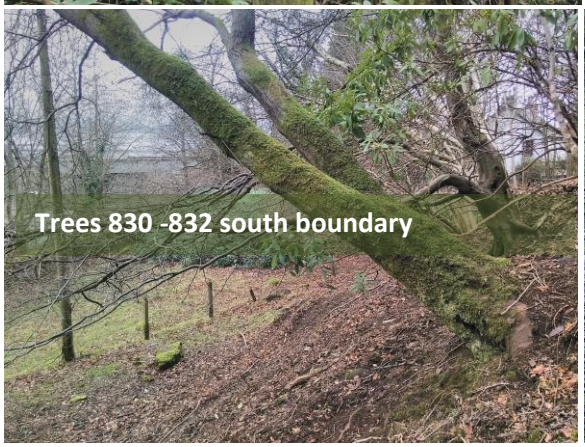

C. A. Calvey, P.T.I., Tech.Cert (Arbor.A), Cert.Arb (RFS), BA Hons.
Principle Arboricultural Consultant
Ayrshire Tree Surgeons Ltd
TREE SURVEY
SCALE : 1 : 250 @ A4
DATE : 30/01/2022
N
FINLAYSTONE ESTATE
MARYPARK ROAD 2
Map data shown may contain Ordnance Survey ®
© Crown Copyright and database rights from date shown above
Ordnance Survey ® licence number 100023148
Low Quality Trees
Site Boundary
Moderate Quality Trees
A R Y P A R K
RP
Rhododendron
835
834
833
832
831
830
829
828
827
826
825
824
823
822
836
837
838

Tree 824 Suppressed with extensive bark

Tree 827 Basal wounding and bleeding canker. Very low quality

Tree 828

Hazel Shrub 829



Trees 830 -832 south boundary

Tree 836 threatens wall

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

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

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

Tree Survey Assessment Criteria

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

Quality Category

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

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

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

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

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

Tree Condition

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

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

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

Age Class

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

Age class is classified as:

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

Safe Useful Life Expectancy (SULE)

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

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

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

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

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

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

Report limitations

1. The survey is only concerned with the arboriculture aspects of the site.

2. The report is based on visual inspections conducted from ground level with the purpose of categorising trees in relation to design, demolition and construction and does not provide reliable data on tree safety. This report is not, nor should it be taken to be, a full or thorough assessment of the health and safety of trees on or adjacent to the site, and therefore it is recommended that detailed tree inspections of retained trees are undertaken on a regular basis with the express purpose of complying with the landowner's duty of care and satisfying health and safety requirements.

3. The statements made in this report do not take account of the effects of extremes of climate, vandalism, or accident, whether physical, chemical or fire.

4. The authority of this report ceases within one year from the date of the survey or when any site conditions change, soil levels are altered near trees, tree work undertaken, or following severe weather occurrences which supersede the current validity of the report.

5. The validity, accuracy and findings of this report will be directly related to the accuracy of the information made available prior to and during the inspection process. No checking of independent third-party data will be undertaken.

6. Any observations that are made in regard to the condition of built structures and hydrology are from a laypersons view. The legal property on which the trees stand is not assessed.

7. The report contains Visual Tree Inspections undertaken from ground level. Visual inspections relate only to those parts of the tree which are visible. Roots are not inspected and during summer when trees are in leaf parts of the canopy may not be visible. Where a tree or parts of a tree could not be inspected due to epicormic growth, ivy or restricted access, liability is not accepted. Only the visible pathogens are recorded; this does not confirm the absence of other pathogens but that no fungal fruiting bodies, or other signs, were visible at the time of the survey.

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

I. A tree which has not been subject to a full and thorough inspection.

II. For any part of a tree that is not visible from the ground near the tree.

III. Where excavations have taken place within the rooting area of a tree.

IV. Branch or limb failure resulting from conditions associated with Summer Branch Drop.

V. The effect of extreme weather events, climate, vandalism or accident, whether physical, chemical or fire.

VI. Where tree surgery work is not carried out in accordance with current good practice

8. Felling licenses are the responsibility of the tree owner. The Forestry Commission controls tree felling by issuing felling licences. In any calendar quarter, you may fell up to 5 cubic metres without a licence if no more than two cubic metres are sold. Timber volumes are not assessed.

9. Planning restrictions applying to tree works remain the responsibility of the tree owners.

10. No failsafe guarantees can be given regarding tree safety because the lightweight construction principles of nature dictate a natural failure rate of intact trees. Trees are living organisms and can decline in health rapidly due to biotic and abiotic influences. Therefore, failure of intact trees can never be ruled out due to the laws and forces of nature.

11. This report has been prepared exclusively by the Ayrshire Tree Surgeons Ltd for the 'Client' and no responsibility can be accepted for actions taken by any third party arising from their interpretation of the information contained in this document. No other party may rely on the report and if they do, then they rely upon it at their own risk.

Christopher Calvey - Ayrshire Tree Surgeons Ltd

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Ecological Constraints Survey

& Aerial Tree Survey

Finlaystone, Langbank

For

Arthur MacMillan

FINAL

11th January 2022

www.wildsurveys.co.uk

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

Quality Management

Project No: WS3608.21			
Prepared by: Chloe Rossi-Easto	11/01/22	Signed by:	[redacted]
Reviewed by: Morna McBean	3/02/22	Signed by:	[redacted]

Version No.	Date	Comments / Changes	Changed by
2	10/02/22	As per requested by the client, amendments have been made within the report.	CR
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Table of Contents

Executive Summary

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

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

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

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

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

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

1 Introduction

1.1 Project Objectives

1.1.1 Wild Surveys Ltd (WSL) was commissioned by Arthur MacMillan to undertake an ecological constraints survey, an aerial tree survey and desk study at Finlaystone, (hereafter referred to as 'the site'), Marypark Road, Langbank (National Grid Reference NS3759273466). This report presents the results of the survey carried out. The survey area included the area within the site boundary and an additional 30m buffer around the site boundary. Site location can be found within **Appendix 1.**

1.1.2 The aim of the survey was to provide a broad description of the existing habitat types within the survey area and to determine the presence and location of any ecologically valuable areas and habitat types with the potential to support protected species in order to inform planning prior to the development of a residential property.

1.1.3 Following the ecological constraints survey which was undertaken on the 11th January 2022, an aerial tree survey was carried out on two trees which were identified as having suitable features for use by roosting bats on the 25th January 2022.

1.1.4 This report will therefore identify any ecological constraints with regards to potential development and highlight the need for further survey work and mitigation measures, where appropriate.

1.2 Site Location

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

2 Methodology

2.1 Desk Study

2.1.1 A data search was undertaken by WSL to review information available within the public domain. Publicly available databases, local wildlife groups and our own internal records were consulted for historical evidence of protected species in and around the site. Listings in Scottish Biodiversity List (SBL) and Local BAP was also checked. This information was gathered to identify the status of these protected species within 2 km of the site.

2.1.2 A search using NatureScot sitelink, the Renfrewshire Local Development Plan was carried out to discover any statutory or non-statutory designated sites within 2 km. These would include:

- Local Nature Reserve (LNR);
- Local Authority designated site, *e.g*. Site of Importance for Nature Conservation (SINC);
- Wildlife Nature Reserve (Scottish Wildlife Trust, Royal Society for the Protection of Birds, etc.);
- Ancient Woodland Inventory (AWI);
- Site of Special Scientific Interest (SSSI);
- Special Area for Conservation (SAC); and,
- Special Protection Area (SPA).

2.1.3 This information was gathered to identify the status of protected species within 2 km of the site, determine the Zone of Influence (ZoI) (survey area) that may be required for further surveys. In addition, the information was used to identify potential impacts on bats which may result from the proposed redevelopment.

Planning Policies

2.1.4 The policies set out below are those relevant to nature conservation and include those from the Local Development Plan. The Local Development Plan was adopted by Renfrewshire Council on 2021 and is the land use plan which sets out the policies and proposals which the Council wishes to use to guide development across the area up to date and beyond.

2.1.5 In respect to the above, regard has been made to the following policies:

- Scottish Planning Policy (SPP) 2014 (Scottish Government, 2014);
- Planning Advice Note 60: Planning for Natural Heritage (Scottish Government, 2000); and,
- Renfrewshire Local Development Plan (2021):

  - Policy ENV1: Greenbelt; and

  - Policy ENV2: Natural Heritage.

2.2 Ecological Constraints

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

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

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

2.3 Protected Species

Bats

2.3.1 A daytime assessment was carried out to identify habitat with the potential to support roosting or foraging and commuting bats within and adjacent to the site (including habitat suitable for roosting such as buildings and trees). The survey area Zone of Influence (ZOI) where all development activities will be located is shown in **Appendix 1**. Further information on the legal protection afforded to bats can be found in **Appendix 3**.

2.3.2 All trees were inspected from the ground and climbed for an aerial inspection where required on the 25th January 2022 to identify signs of current and historical bat use and to assess the trees' potential to support bats. Any features which were suitable for supporting bats were noted and, if necessary, trees were climbed and cavities inspected internally using Rigid CA-150 SeeSnake inspection cameras.

2.3.3 The habitat assessment was carried out in accordance with the Bat Conservation Trust's Bat Survey Guidelines (Collins, J. 2016).

2.3.4 The location of the trees inspected can be found in **Appendix 9.** The assessment aimed to identify the following:

- Roosts and potential for roosts within the ZoI determined by the area affected by the proposed activities within the site and data collected during the desk study;
- Bat activity / field signs of bats;
- Evaluate the suitability of any habitat within the ZoI which may support roosting, foraging or commuting bats;
- Determine any potential impacts on bats within the ZoI;
- Any requirement for further survey work or for section 44 licensing; and,
- Determine the scope and survey area for any further survey work.

2.3.5 The ZoI was inspected in accordance with current best practice guidance from the Bat Conservation Trust 3rd Edition (Collins, J. 2016) in order to identify the suitability of the ZoI to support roosting, commuting and foraging bats. Guidelines for determining suitability of habitat features for bats is presented in the following table:

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

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

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

Badger

2.3.6 The survey included searching for field signs of badgers, including:

- Presence of holes with evidence of badgers such as footprints, discarded hairs; etc.;
- Presence of dung pits or latrines;
- Presence of well-used runs with subsidiary evidence of badger activity; and
- Presence of other indications of badger activity such as signs of foraging, snuffle marks and footprints.

2.3.7 In addition, any mammal holes which were either dug by badger or could be used by badger (known as setts) were also noted. Setts were examined for evidence of current use including:

- Identifiable badger hairs present within sett entrances or spoil heaps;
- Badger prints present within sett entrances or spoil heaps;
- Well-worn paths connecting the sett with other known setts, badger latrines or dung pits;
- Recent digging when associated with other evidence of badger; or
- Bedding present at sett entrances or recently buried within spoil heaps.

2.3.8 Day nests comprised of collections of bedding above ground were also noted if present.

2.3.9 Badger surveys can be carried out at any time of the year. However, the optimum period is between November and March when vegetation has died back, and signs can be more easily seen. Information on the legal protection afforded to badger can be found in **Appendix 5**.

Nesting Birds

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

Invasive Non-native Species

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

Other Notable Species or Habitats

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

2.4 Limitations

Physical Limitations

2.4.1 No physical limitations occurred during the survey.

Seasonal Limitations

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

2.4.3 There are seasonal limitations to all species and habitats surveys. A table of optimal survey periods can be found in **Appendix 7**.

3 Results

3.1 Desk study

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

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

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

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

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

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

3.2 Ecological Constraints Survey

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

Habitat

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

Protected Species

Bats

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

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

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

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

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

Badger

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

Nesting Birds

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

Invasive, Non-native Species

3.2.9 Rhododendron was recorded to the east of the site.

Other Notable Species or Habitats

3.2.10 No other species were recorded.

4 Discussion and Recommendations

4.1 Discussion

4.1.1 As the site is found on the extreme edge of the Finlaystone Estate SINC and within an ancient woodland, the proposed development may affect the integrity of these designated site, however if recommendations are followed, there may be short term indirect effects to these sites, during construction works.

4.1.2 The woodland within the site is an ancient woodland which is listed within the Scottish biodiversity list. It is WSL understanding that the proposed plans will be restricted to an open area which has previously been cleared in the distant past and is now dominated by rhododendron with limited tree limbing and removal of young trees only, therefore avoiding any direct impact to the ancient woodland.

4.1.3 Within the Renfrewshire Local Development Plan, policy ENV1 and ENV2 are both relevant to the site.

4.1.4 The site has suitable habitat for badger and nesting birds, however no field signs of badger were found during the survey. There is a large area of rhododendron which is an invasive non-native species found within the site.

4.1.5 As the surrounding habitat to the site is ancient woodland, there are other opportunities for foraging and commuting bats in the nearby woodland, beyond the site boundary.

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

4.2 Recommendations

Licensing Requirements

4.2.1 No licence is currently required but may be required following further survey work.

4.2.2 A summary of relevant policy can be found in **Appendix 2**, with the legal position in relation to protected species is contained within **Appendix 3 - 6**.

Avoidance / Retention

4.2.3 WSL understands that the ash tree to the west of the site is to be retained within the project plans. If the tree is to be removed it is recommended that the tree undergoes a pre-fell check for bats prior to removal.

4.2.4 It is recommended that any vegetation clearance should be carried outside the nesting bird season (typically March-September).

4.2.5 It is recommended that where possible, the vegetation line which borders the north of the site should be retained along with the stone wall to avoid disturbance to foraging and commuting bats.

4.2.6 It is recommended that all works stop an hour before sunset and not commence again until an hour after sunrise to avoid disturbance to any foraging and commuting bats.

4.2.7 As the rhododendron is an invasive non-native species, it should not be allowed to spread from the site, if they must be removed advice should be sought from a specialist prior to removal.

Further Survey

4.2.8 The blocking of features in our experience can remain in place up to three months, therefore the work should be carried out as soon as possible. If the proposed works extends beyond three months from the point of survey, an ecologist should be contacted for further advice.

4.2.9 Should avoidance of the nesting bird season (March-September) not be possible, a nesting bird survey should be undertaken no more than 48 hours prior to any work being undertaken on site by a suitability experienced ecologist.

4.2.10 A pre-construction survey for badger should be carried out within eight weeks of works commencing due to the high mobility of wildlife.

4.2.11 Due to the high mobility of wildlife and to re-establish the ecological baseline, if the proposed works have not commenced within 12 months then the project ecologist should be contacted to determine the requirement for repeat ecological surveys. The bat survey is valid for up to 18 months from the date of survey (CIEEM, 2019).

Enhancement Measures

4.2.12 The Local Development Plan contains policies ENV1 and ENV2 which focus on the natural environment and details how new developments can enhance habitats/biodiversity including through creating, enhancing and better linking habitats and ecosystems.

4.2.13 The policies state that new development should aim to enhance biodiversity where possible. For redevelopment of the site, consultation should be undertaken with the individual responsible for biodiversity at the Local Planning Authority and bespoke enhancement measures designed for the site.

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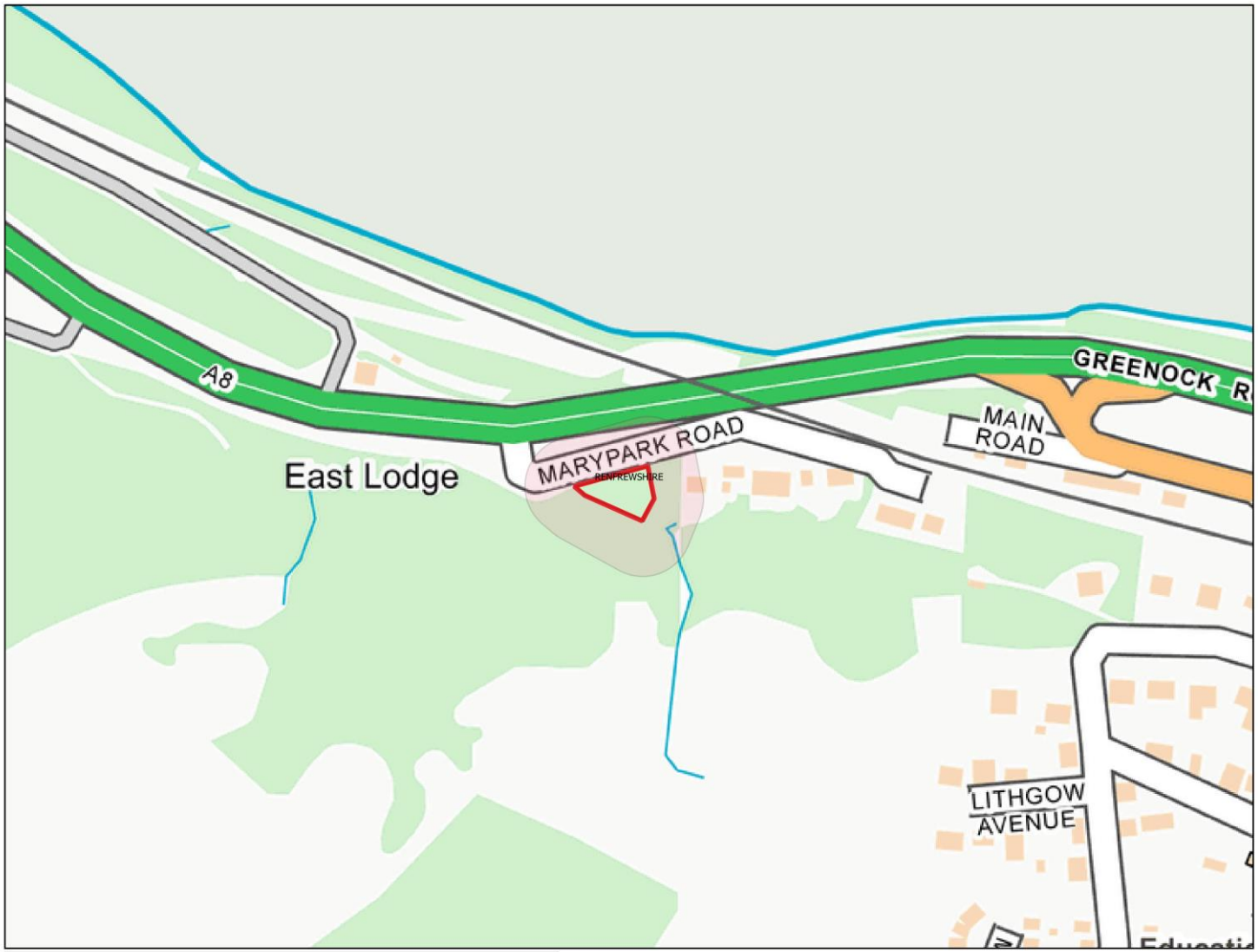
Appendix 1 – Site Location and Photographs



Photographs

Image 1: Proposed site area

Image 2: Rhododendron on site. Target note 1.

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

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

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

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

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

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

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

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

Appendix 2 – Summary of Relevant Policy and Legislation

Policy and Guidance in Scotland

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

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

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

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

National Planning Framework 3 (Scottish Government, 2014)[2]

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

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

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

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

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

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[1] https://www.gov.scot/publications/scottish-planning-policy/

[2] https://www.gov.scot/publications/national-planning-framework-3/

[3] https://jncc.gov.uk/our-work/uk-bap/

Scottish Biodiversity Strategy[4]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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[4] https://www.nature.scot/scotlands-biodiversity/scottish-biodiversity-strategy
[5] https://www.nature.scot/scotlands-biodiversity/scottish-biodiversity-strategy/scottish-biodiversity-list
[6] https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species and https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/planning-and-development-protected-areas
[7] https://www.gov.scot/publications/european-protected-species-chief-planner-letter/

Appendix 3 - European Protected Species and the Law

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

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

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

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

If a licence is required:
Further survey will be required in order to gain sufficient information in order to supply a sufficient baseline and to inform the necessary mitigation plan required to support a licence application.
Application forms can be found on the NatureScot website along with guidance:
https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species-licensing-z-guide/bats/bats-licences-development

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

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

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

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

If an EPS is found during the period of development:
The project ecologist should be contacted immediately for advice before proceeding with works. Advice from NatureScot may be required; the project ecologist should be able to determine this.

Appendix 4 – Wildlife and Countryside Act Species and the Law

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

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

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

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

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

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

Application forms can be found on the NatureScot website along with guidance:
https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/licensing-forms-and-guidance

If a Schedule 5 species is found during the period of development:
The project ecologist should be contacted immediately for advice before proceeding with works. Advice from NatureScot may be required; the project ecologist should be able to determine this.

Appendix 5 – Badgers and the Law

Badgers are protected by the *Protection of Badgers Act 1992* (as amended in Scotland).
The purpose of the Act is to protect the animals from deliberate cruelty and from the incidental effect of lawful activities which could cause them harm. Under this legislation it is an offence to deliberately or recklessly:

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

If a licence is required:
Application forms can be found on the NatureScot website along with guidance:
https://www.nature.scot/badgers-licence-forms-and-guidance-documents

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

If a badger is found during the period of development:
The project ecologist should be contacted immediately for advice before proceeding with works. Advice from NatureScot may be required; the project ecologist should be able to determine this.

Appendix 6 – Birds and the Law

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

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

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

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

You should note that there is no licensable purpose of development for birds.
Should there be a risk of one of the above offences it is strongly advised that works are either micro-sited to avoid the nests or timed to avoid the nesting season (1 March to 31 August), depending on the species and type of work.

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

Appendix 7 – Guidance on Optimal Survey Periods

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

Appendix 8 - Desk Study Search Results

Location	Finalystone, Marypark Road	OS Grid Squares	NS3758773460	Date of Search	05/11/2022	
Wild Surveys Data Bat Species	**No of Records within 2 km**	**Approximate distance in km**	**Site name/Grid Ref**		**Date**	
Soprano pipistrelle	1	390m south	NS3788373105		Sep 2013	
Wild Surveys Data Protected Species	**No of Records within 2 km**	**Approximate distance in km**	**Site name/Grid Ref**		**Date**	
No Data						
NBN Bat Species Data	**No of Records within 2 km**	**Approximate distance in km**	**Site name/Grid Ref**		**Date**	**Data Licence**
Soprano pipistrelle	4	1km west	NS3649173501		June 208 – Jue 2019	CC-BY Bat Conservation Trust
Brown long eared	24	1km west	NS3649173501		June 2007 – June 2019	CC-BY Bat Conservation Trust
NBN Species Protected Species	**No of Records within 2 km**	**Approximate distance in km**	**Site name/Grid Ref**		**Date**	**Data Licence**
Hedgehog	1	420m east	NS3804373448		August 2019	The Conservation Volunteer
LOCAL BAT GROUP Bat Species Data	**No of Records within 2 km**	**Approximate distance in km**	**Site name/Grid Ref**		**Date**	
No Data						
Renfrewshire Biodiversity Action Plan (2018 – 2022)						

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

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

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

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

Bat species known to be present within the LBAP area:

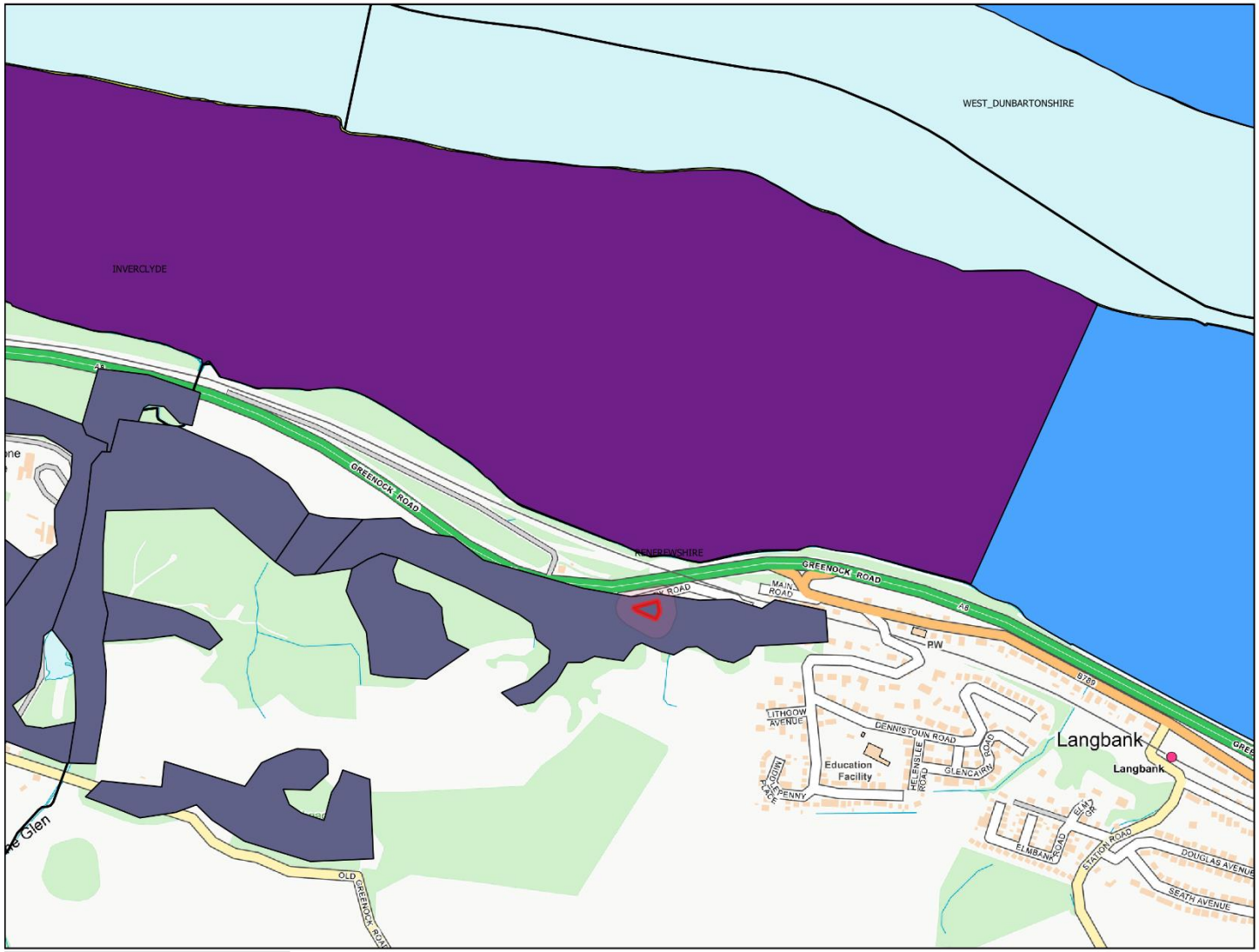
- **Soprano pipistrelle**
- **Common pipistrelle**
- **Daubenton's bat**
- **Whiskered bat**
- **Leisler's bat**
- **Natterer's bat**
- **Brown long eared bat**
- **Nathusius pipistrelle**

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

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

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

Designated Sites Map



Contains Ordnance Survey data © Crown copyright and database right 2021

Wild surveys ltd

Key

- Site boundary
- Buffered
- SSSI
- RSPB Reserve
- AWI

Designated Sites Map
Finlaystone Estate, Marypark Road, Langbank, PA14 6UT

NGR at centre: NS375877346

Drawing by:	Checked by:
CR	
Version: 1	Date: 04.02.2022

Appendix 9 – Constraints Plan

0 50 100 150 200 m

Wild surveys ltd

Key

Site Boundary

Target Note

Ecological Constraints Map
Finlaystone Estate,
Marypark Road, Langbank,
PA14 6UT

NGR at centre: NS375877346

Drawing by:	Checked by:
CR	
Version: 1	Date: 17.01.2022

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

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

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

MEMORANDUM

Communities and Housing
Director: Mary Crearie

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

Renfrewshire Council

To: Sharon Marklow, Strategy and Place Manager

From: Head of Communities & Public Protection

Application Number: **22/0125/PP**

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

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

Karen McIndoe
Environmental Health Officer

Renfrewshire Council

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100538106-001

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

Type of Application

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

☐ Application for planning permission (including changes of use and surface mineral working).

☒ Application for planning permission in principle.

☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)

☐ Application for Approval of Matters specified in conditions.

Description of Proposal

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

Application for Permission in Principle for new Dwelling House

Is this a temporary permission? * ☐ Yes ☒ No

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

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

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

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

Agent Details

Please enter Agent details

Company/Organisation:	Ingram Architecture & Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stephen	Building Name:	
Last Name: *	Govan	Building Number:	227
Telephone Number: *	07900 882 495	Address 1 (Street): *	Ingram Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G1 1DA
Email Address: *	s.govan@ingramarchitecture.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

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

Site Address Details

Planning Authority: Renfrewshire Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

SIte adjacent to Marypark House, Marypark Road, Langbank

Northing 673465 Easting 237577

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

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

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

Title: Mr Other title:

First Name: James Last Name: Weir

Correspondence Reference Number: Date (dd/mm/yyyy): 02/12/2021

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

Site Area

Please state the site area: 719.60

Please state the measurement type used: ☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

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

Vacant Land

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * ☒ Yes ☐ No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

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

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

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

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * ☒ Yes ☐ No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

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

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

☒ Yes

☐ No, using a private water supply

☐ No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☒ Yes ☐ No

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

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☒ No ☐ Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Stephen Govan

On behalf of: Mr Arthur MacMillan

Date: 21/02/2022

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal 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:

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

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

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	☐ 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)

Ecological Report, Tree Survey

Declare – For Application to Planning Authority

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

Declaration Name: Mr Stephen Govan

Declaration Date: 21/02/2022

Payment Details

Online payment: 413702
Payment date: 21/02/2022 11:56:53

Created: 21/02/2022 11:56

Transport Scotland

Roads Directorate
Network Operations - Development Management

TRANSPORT SCOTLAND

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

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

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

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

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

Director, Roads Advice

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

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

TS Contact:-	Area Manager (A8) 0141 272 7100 Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Operating Company:-	NEW SOUTH WEST
Address:-	150 Polmadie Road, Glasgow
Telephone Number:-	
e-mail address:-	OCCR.SWSCOTLAND@amey.co.uk

Transport Scotland Response Date:- 09-Mar-2022

Transport Scotland Contact:- Iain Clement

Transport Scotland Contact Details:-
Roads - Development Management
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Telephone Number:
e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006
Planning Authorities are requested to provide Transport Scotland , Roads Directorate, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland , Trunk Roads Network Management Directorate if the recommended advice is not accepted .

James Weir

From: Stephen Boyle
Sent: 10 March 2022 10:24
To: James Weir
Subject: RE: Consultation Letter for Planning Application Ref:22/0125/PP

Hi James,

Yes, as it is a private road it would be recommended the access is constructed as per the national roads development guide (width, surfacing, drainage, sightlines etc). No surface water should discharge onto the private road.

I have not been sent the drive thru application, so either John has it or its been missed. It's a difficult one as on first glance I thought it would not be acceptable. However, I'm struggling to see a reason why.

Doesn't appear to have any impact on sightlines for the Glenburn Rd/ Caplethill Rd junction, if there was a restriction then it would be resolved by ensuring no parking takes place on space No1. There is no pedestrian provision but that could be conditioned and maybe get a footway provided on Glenburn Rd between where the footway stops and the access to this development. Parking could be considered limited and when car wash is opened could cause issues. The access off Caplethill Rd would be better closed up and all movements concentrated on Glenburn Rd, but this would have implications for the car wash.

I would say if there was a reason to refuse it would be for the increased movements for an access in close proximity to a junction. There is a lot going on here with a car wash, tyre place and a barbers. There is three access points and it is hard to determine the impact the development will have on vehicle trips and parking.

I know that maybe doesn't help as its quite conflicting but its an awkward one.

Let me know if you want to discuss further.

Thanks
Stephen

-----Original Message-----
From: James Weir <james.weir@renfrewshire.gov.uk>
Sent: 10 March 2022 09:25
To: Stephen Boyle <stephen.boyle@renfrewshire.gov.uk>
Subject: RE: Consultation Letter for Planning Application Ref:22/0125/PP

Hi Stephen,

Yes it looks like private road accessed from trunk road as you say so no problem to not provide comments. An FRA has been done and we will condition drainage as standard if it gets approved. And we have consulted TS regards the trunk road. If they ask for a roads authority update I will just say outwith jurisdiction but recommended to follow national roads development guide or something if that sounds ok?

Can I ask a favour about another application 21/0057/PP. Not sure who has been allocated it but I am wondering if you guys will find it acceptable or not? I have attached a block plan. Basically it's at the junction of Glenburn Road and Caplethill Road, and we have received several objections on road safety. There are also cllr's involved, and its been called to board. I think we will be recommending refusal anyway, but would be grateful for roads input as well as if you have concerns as well it would add weight to our decision.

Hope that's ok, let me know if you want to discuss further.

Thanks again,

_____
James Weir
Planner, Development Management
Renfrewshire House, Cotton Street, Paisley, PA1 1JD
Phone: 07483370666
Email: dc@renfrewshire.gov.uk
Web: Renfrewshire Council Website

I am currently working from home so have no access to my phone line. Please contact me by email and I will respond as soon as possible.

Due to the ongoing issues related to the Coronavirus, unfortunately the Planning Authority are suspending the drop in duty planning officer service. Please contact Planning via email – dc@renfrewshire.gov.uk

Please note if you submitted your application via the eDevelopment portal all additional supporting documentation in relation to your application should be submitted in the same manner as the original application. Supporting Documentation should not be sent to the Case Officers email address or to the Council's dc@renfrewshire.gov.uk mailbox. If you have any queries with this process please contact 0300 3000 144.

-----Original Message-----
From: Stephen Boyle <stephen.boyle@renfrewshire.gov.uk>
Sent: 09 March 2022 15:55
To: James Weir <james.weir@renfrewshire.gov.uk>
Subject: FW: Consultation Letter for Planning Application Ref:22/0125/PP

Hi James,

Mark had sent this to John which has made its way to me as John is still off sick.

Looking at this application, it is a private road and is served off the trunk road. Is that correct? Not 100% sure we want or need to comment on this one? I know we had not been consulted on the 19/0516/PP application,

Let me know your thoughts, slightly reluctant to comment on it as any issues (construction, flooding, surface water onto the trunk road etc) may come back to us but it is private.

Thanks
Stephen

-----Original Message-----
From: Mark Higginbotham <mark.higginbotham@renfrewshire.gov.uk>
Sent: 08 March 2022 10:36
To: Stephen Boyle <stephen.boyle@renfrewshire.gov.uk>
Cc: John Everett <john.everett@renfrewshire.gov.uk>
Subject: FW: Consultation Letter for Planning Application Ref:22/0125/PP

Stephen
Can you do while John is off

Mark Higginbotham
Transportation & Development Manager
Environment & Infrastructure, Renfrewshire Council, Cotton Street, Paisley, PA1 1BR Mob 07432 105694

-----Original Message-----
From: Mark Higginbotham
Sent: 03 March 2022 12:03
To: John Everett <john.everett@renfrewshire.gov.uk>
Subject: FW: Consultation Letter for Planning Application Ref:22/0125/PP

For you John

Mark Higginbotham
Transportation & Development Manager
Environment & Infrastructure, Renfrewshire Council, Cotton Street, Paisley, PA1 1BR Mob 07432 105694

-----Original Message-----
From: dc@renfrewshire.gov.uk <dc@renfrewshire.gov.uk>
Sent: 02 March 2022 14:49
To: Mark Higginbotham <mark.higginbotham@renfrewshire.gov.uk>
Subject: Consultation Letter for Planning Application Ref:22/0125/PP

Dear Mark Higginbotham

Please find attached important information from Renfrewshire Council with regards to the planning application submitted on 22 February 2022.

The documentation relating to the application can be reviewed online through the Council's Public Access web site, if you have registered as a Consultee on the system you directly input your comments to the case through this web site.

Kind regards

Renfrewshire Council
Renfrewshire House, Cotton Street, Paisley, PA1 1JD

James Weir

From: Kirsteen Macdonald <Kirsteen.Macdonald@agsairports.co.uk>
Sent: 28 March 2022 10:37
To: James Weir
Subject: 22/0125/PP

Hi James

22/0125/PP

This application is below consultation height for us so we have no comment.

Kind regards

Kirsteen

Kirsteen Macdonald
Safeguarding Manager
Glasgow Airport

M +44 (0)7808 115 881
kirsteen.macdonald@agsairports.co.uk
www.agsairports.co.uk

Glasgow Airport, Erskine Court, St Andrews Drive, Paisley, PA3 2TJ

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