

**A meeting of the Planning Board will be held on Wednesday 1 August 2018 at 3pm within the Municipal Buildings, Greenock**

GERARD MALONE  
Head of Legal & Property Services

**BUSINESS**

1. <b>Apologies, Substitutions and Declarations of Interest</b>	<b>Page</b>
<b>NEW BUSINESS</b>	
2. <b>Planning Applications</b> Reports by Head of Regeneration & Planning on applications for planning permission as follows:-  (a) <b>Balrossie Homes Ltd</b> Conversion of existing main building, annexe building and water tower into residential units at Balrossie House, Blacksholm Road, Kilmacolm (17/0038/LB)	
(b) <b>Balrossie Homes Ltd</b> Conversion of existing main building, annexe building and water tower into residential units at Balrossie House, Blacksholm Road, Kilmacolm (17/0351/IC)	
(c) <b>Balrossie Homes Ltd</b> Planning application for 27 new build houses with associated roads infrastructure and new package waste treatment plant at Balrossie House, Blacksholm Road, Kilmacolm (18/0076/IC)	
(d) <b>Balrossie Homes Ltd</b> Planning application for 22 new build houses with associated roads infrastructure and new package waste treatment plant at Balrossie House, Blacksholm Road, Kilmacolm (180077/IC)	

Enquiries to – **Diane Sweeney** - Tel 01475 712147

Report To: The Planning Board

Date: 1<sup>st</sup> August 2018

Report By: Head of Regeneration and Planning

Report No: 17/0038/LB

Contact Officer: David Ashman

Contact No: 01475 712416

**Subject:**

**Conversion of existing Main Building, Annexe Building and Water Tower into residential units. Main Building - façade retention to North, South and East elevations with full reconstruction of west elevation, internal floor plates and roof, new windows throughout. Annexe Building - internal alterations and repairs to suit new layout. Roof overhauled/reslated, new windows throughout. Water Tower Building - Existing ground floor walls retained with new upper floor construction to match existing at Balrossie House, Blacksholm Road, Kilmacolm**



**SUMMARY**

- The proposal accords with the Inverclyde Development Plan.
- Two objections have been received raising concerns over the impact on road safety, infrastructure and visual impact.
- Consultation responses present no impediment to development.
- The recommendation is to GRANT LISTED BUILDING CONSENT subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=OYNE3NIMMVM00>

## **SITE DESCRIPTION**

The former Balrossie childrens' home is set in the countryside and located on Blacksholm Road north of its junction with the B788 road, approximately 1 mile west of Kilmacolm.

The home and villa annexe are set at the front of the site, behind which was the staff annexe and a small single storey ornamental building. All are listed category B by Historic Environment Scotland.

The main building is 2-storey Scottish Renaissance featuring gothic details, a pitched roof with a prominent centre gabled section and 2 single-storey service wings extending from the rear. The annexe is a 2-storey, 3-bay villa. The ornamental building is a small, square-plan, flat-roofed water tower building originally forming a focal point in the garden. The listing of buildings also extends controls to boundary features, including the entrance gates at the north and south ends of the original driveway into the site.

Adjacent to the site lie a group of houses at Balrossie Drive originally associated with the former childrens' home but now in private ownership.

The grounds around the listed buildings have not been maintained in recent years and some self-seeded trees have also become established over time.

## **PROPOSAL**

Planning permission and listed building consent were granted in September 2007 and February 2015 for the conversion of the listed buildings and enabling new build housing but were not implemented. It is now proposed to revisit development of the site in a different form. This is being done through the submission of four applications; planning application 18/0076/IC proposes "27 new build houses with associated roads infrastructure and new package waste treatment plant", planning application 18/0077/IC proposes "22 new build houses with associated roads infrastructure and new package waste treatment plant", planning application 17/0315/IC seeks planning permission for the conversion and alteration of all three listed buildings to bring them into use as habitable dwellings, and this application seeks listed building consent for the same works as the planning application 17/0351/IC.

Although the existing roofs offer a degree of protection from the elements, the applicant advises that some coverings and structures will need to be replaced as the current materials are past their useful life and are in very poor condition. Lead and slates have been stripped in places and there has been some fire damage. There is also significant water penetration and, where they remain, marked deterioration of gutters and downpipes. The walls are in generally better condition, with only a few areas of decay limiting work to primarily cleaning and pointing, with small areas of damaged roughcast to be repaired. Most windows have been boarded, but those exposed and damaged will be replaced to make the buildings habitable. The interiors are generally in poor condition due to water ingress and vandalism; almost no original interior finishes survive.

The application plans show the alterations necessary to allow the conversion to residential accommodation.

In the main building it is proposed to retain the east (front), south and north facades. The west (rear) elevation will be reinstated using materials matching the other elevations. The reinstated rear elevation will incorporate additional fenestration and doors and non-original additions will be demolished. Alterations to the side elevations are limited but include the demolition of the non-original extension and the punching through of a new window and doors. Otherwise, the key alterations to the front elevation are limited to four new doors. New roof light windows will also be introduced to the roof space parallel with the side elevations. New double glazed timber sash and casement windows will generally be used throughout, together with new cast iron gutters and downpipes. The interior works, which will involve completely new floor plates, will be carried out to allow the creation of 12 x 2 and 3 bedroom flats.

The annexe building is in better overall condition, with roof alterations limited to repairs and making good with natural slate and terracotta decorative ridges to match the existing. As per the main building, new cast iron gutters and downpipes are to be used. Non-original extensions will also be removed and external finishes are to be made good with a new entrance created where a non-original stair is removed. The existing rear lean-to roof area will be infilled with materials matching the retained facades to provide additional ground floor accommodation. A small, new dormer will be introduced to the front elevation. This will assist with conversion of the building to 2 x 4 bedroom semi-detached villas.

The water tower building is a single storey structure although historical information suggests that it was taller, mimicking the main building's central tower. The applicant proposes to retain and refurbish the structure, re-creating the levels above to form a 3 bedroom dwelling in the style of the original tower.

All the applications are supported by a raft of documentation including a Design and Access Statement, a condition survey of the listed buildings, a tree survey and arboricultural report, an ecological survey and costings justifying the provision of new build in relation to phased works to secure the long term future of the listed buildings. The applicant has set out the intended programme in the supporting documentation, noting that redevelopment of the listed buildings alone is not financially viable. The proposed programme is to demolish and remove all outbuildings and extensions not required; make the listed buildings safe and secure and mitigate any further damage; build the site infrastructure and the first 22 houses; before carrying out the full refurbishment of the listed buildings. It is expected to take 12-24 months for the refurbishment and this is to be completed prior to completion of the final 6 new build houses (49 are proposed in total). Construction works are expected to take 3½ years with sales lagging 6 months behind construction, thus completing the whole development within 4 years. It is explained that the current proposals are as a result of local demand and re-profiling the house types after extensive market research which has revealed a demand for smaller family houses.

## **DEVELOPMENT PLAN POLICIES**

### **Clydeplan Strategic Development Plan**

#### **Policy 14 - Green Belt**

In support of the Vision and Spatial Development Strategy, Local Authorities should:

- designate within Local Development Plans, the inner and outer boundaries of the Green Belt to ensure the objectives set out in paragraph 8.15 are achieved;
- collaborate to ensure consistency across Local Development Plan areas when defining or altering Green Belt boundaries.

### **Inverclyde Local Development Plan**

#### **Policy HER4 - Alteration, Extension and Demolition of Listed Buildings**

There is a presumption in favour of the retention of listed buildings, and their demolition, in full or in part, will only be accepted after a full assessment of the importance and condition of the building has been undertaken. Proposals to alter, extend or demolish a listed building must respect the reasons for listing, be of a high standard and will be approved only where the proposed works do not adversely affect the special interest of the building and are satisfactory having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series.

#### **Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside**

Development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or
- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;
- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy RES3 - Residential Development Opportunities**

Residential development will be encouraged and supported on the sites and indicative locations included in Schedule 6.1 and indicated on the Proposals Map. An annual audit of the housing land supply will monitor and review, and where necessary, augment the Effective Land Supply, to maintain a minimum five year's supply in accordance with the GCV SDP and SPP guidance.

### **Policy INF4 - Reducing Flood Risk**

Development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. There may be exceptions for infrastructure if a specific location is essential for operational reasons and the development is designed to operate in flood conditions and to have minimal impact on water flow and retention.

All developments at risk of flooding will require to be accompanied by a Flood Risk Assessment (FRA) and should include a freeboard allowance, use water resistant materials where appropriate and include suitable management measures and mitigation for any loss of flood storage capacity.

**Planning Application Advice Note (PAAN) 7** on "Window Replacement in Conservation Areas and in Listed Buildings" applies.

## **PROPOSED DEVELOPMENT PLAN POLICIES**

### **Policy 8 - Managing Flood Risk**

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- be at significant risk of flooding;
- increase the level of flood risk elsewhere; and
- reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

## **Policy 14 - Green Belt and Countryside**

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

## **Policy 18 - New Housing Development**

New housing development will be supported on the sites identified in Schedule 4, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Development Briefs for Housing Sites, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development. There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages which are brought forward under Policy 17 to be available for social rent. Supplementary Guidance will be prepared in respect of this requirement.

## **Policy 29 - Listed Buildings**

Proposals for development affecting a listed building, including its setting, are required to protect its special architectural or historical interest. In assessing proposals, due consideration will be given to how the proposals will enable the building to remain in active use.

Demolition of listed buildings will not be supported.

## **Policy 33 - Biodiversity and Geodiversity**

### Natura 2000 sites

Development proposals that are likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site or if:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, including those of a social or economic nature; or
- compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

### Sites of Special Scientific Interest

Development affecting Sites of Special Scientific Interest will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or if any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

### Protected Species

Development affecting Protected Species will only be permitted where:

- it preserves public health or public safety or is for other imperative reasons of overriding public interest including those of a social or economic nature and has beneficial consequences of primary importance for the environment;
- there is no satisfactory alternative; and
- it maintains the species in a favourable conservation status.

#### Local Nature Conservation Sites

Development is required to avoid having a significant adverse impact on Local Nature Conservation Sites. Any adverse impacts are to be minimised. Where adverse impacts are unavoidable, compensatory measures will be required.

#### Local Landscape Area

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special features as set out in the Statement of Importance.

#### Non-designated sites

The siting and design of development should take account of local landscape character. All development should seek to minimise adverse impact on wildlife, especially species and habitats identified in the Local Biodiversity Action Plan. Development should take account of connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

**Proposed Planning Application Advice Note (PAAN) 7** on "Window Replacement in Conservation Areas and in Listed Buildings" applies.

### **CONSULTATIONS**

**Historic Environment Scotland** - Welcome this application, particularly given the ongoing deterioration and vandalism that is occurring. Although content with the principle of the proposals, it is considered that the application is light on detail, particularly regarding the method of repairs and materials. Comment will be offered on further submissions in this regard.

### **PUBLICITY**

The application was advertised in the Edinburgh Gazette and Greenock Telegraph on 10th November 2017 for development affecting a listed building.

### **SITE NOTICES**

A site notice was posted on 10th November 2017 for development affecting a listed building.

### **PUBLIC PARTICIPATION**

Two objections have been received. The points of objection may be summarised as follows:

- Blacksholm Road is not capable of supporting the amount of traffic this proposal would generate either in the short term through construction work, or in the longer term when residences would be occupied.
- People will have to walk on the unlit road or poor quality footpaths to access Kilmacolm, which is a danger.
- Anticipated issues with traffic management.
- The length of time to build out the site will cause a long period of disruption to existing nearby residents' way of life.
- Loss of green belt.
- There is no gas supply or connection to main sewers.
- Concerns over drainage.
- Concerns over plot size, total number of units and the variations therein.
- Loss of outlook.
- Destruction of wildlife.

## ASSESSMENT

The material considerations in determination of this listed building application are the Inverclyde Local Development Plan, Planning Application Advice Note 7 on “Window Replacement in Conservation Areas and in Listed Buildings”, Supplementary Guidance on “Enabling Development”, the proposed Local Development Plan and proposed Planning Application Advice Note 7, Historic Environment Scotland’s Policy Statement (which supersedes the SHEP) and “Managing Change in the Historic Environment” guidance notes on “Demolition”, “Doorways”, “External Walls”, “Interiors”, “Roofs” and “Windows”, the impact on the architectural integrity and historic interest of the buildings, the consultee reply, the representations and the applicant’s supporting information.

As a listed building application for the conversion of listed buildings, this assessment relates specifically to the heritage implications. Wider implications in respect of the Green Belt, biodiversity, flood risk, drainage, sustainable transport and land contamination are not material, being separately addressed by the parallel planning application 17/0351/IC.

Policy HER4 of the adopted Local Development Plan and Policy 29 of the proposed Local Development Plan are the key policies in consideration of the impact of the proposals on the listed building status. Policy HER4 presumes in favour of the retention of listed buildings. Proposals to alter, extend or demolish them must respect the reasons for listing, be of a high standard and will be approved only where the proposed works do not adversely affect the special interest of the building and are satisfactory having regard to Historic Environment Scotland’s Policy Statement and “Managing Change in the Historic Environment” guidance note series. Policy 29 addresses proposals for development affecting a listed building, including its setting, indicating that they are required to protect its special architectural or historical interest. In assessing proposals, due consideration will be given to how the proposals will enable the building to remain in active use. Demolition of listed buildings will not be supported.



Balrossie House

Historic Environment Scotland acknowledges in its Policy Statement that in assessing an application for the conversion of a listed building, a planning authority is required to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. In this instance the most significant buildings are to be retained, with the extent of external modification to Balrossie House largely limited to the demolition of an extension and rear elevation alterations. The main alterations to the villa annexe are to the rear with a side elevation demolition. I am satisfied that the applicant has sensitively limited the number of interventions required to bring these two buildings back into use as residences. Substantial vertical enlargement is required to the water tower feature building to facilitate conversion to form a dwellinghouse, but the historical evidence suggests that this is an attempt to restore the building to close to its original exterior. I consider all the modifications will be in harmony with the character of the buildings, will largely preserve the architectural integrity and allow for their longer term retention to the benefit of the heritage of the



area. I also note that there are no remaining internal features of merit that would be adversely affected by the proposals.

Turning to the relevant Historic Environment Scotland guidance notes, although the “Demolition” guidance note is aimed at whole building demolitions, I am satisfied that the demolitions of non-original extensions and associated buildings of lesser importance are a positive development in respect of the architectural integrity of the main building, the annexe and their setting. There are no demolitions affecting the water tower.

Referring to guidance on “Doorways”, the original doorways in all three buildings are largely being respected. One opening is being closed on a side elevation of the main building but this is not to the detriment of the character. Changes are necessary to external walls and roofs to bring the buildings into habitable condition but I regard these as being sensitively handled with reference to the corresponding guidance notes. As noted earlier, little of the interior of the buildings remains intact either due to previous alterations or as a result of the effects of weathering and vandalism.



Annexe

Finally, considering “Windows”, the guidance note accepts there will be circumstances where windows are beyond retrieval and require to be replaced. It specifies a number of matters to be addressed in their replacement. Adopted PAAN7 and proposed PAAN7 note that replacement windows should match the design of the original windows, should be painted to accord with the original colour, where appropriate glazing bars should match the original in position and size and that, if sash and case windows are used the bottom sash should be capable of opening inwards. I note that most of the existing windows are boarded up and that those exposed have significantly weathered or been vandalised to the extent that they cannot be re-used. Where visible on the site, most of the original windows appear to be timber sliding sashes. I note that the applicant intends to refurbish the buildings generally with double glazed timber sash and casement windows, which is acceptable. The detailing of these can be covered by condition but the replacement windows proposed are, in principle, largely in character with the buildings and in accordance with the guidance note on “Windows” and adopted and proposed PAAN7s.

I am also influenced by the consultation reply from Historic Environment Scotland. It indicates that this application is welcomed, particularly given the ongoing deterioration and vandalism that is occurring; the proposals do not raise historic environment issues of national significance. Historic Environment Scotland is happy to comment on further submissions, and that consideration on outstanding matters such as repair details and new fittings may be addressed by conditions.

I therefore consider that the proposals accord with the relevant policies of the adopted and proposed Local Development Plans directly related to listed buildings. It remains to be

considered, however, if there are any material considerations which suggest that listed building consent should not be granted. In this respect I turn to the points of objection and, in particular, those matters not already covered by the above assessment. Although these largely relate to the associated planning issues rather than built heritage they have nevertheless been submitted as objections and therefore require consideration.

Whilst I note concerns expressed about the capability of Blacksholm Road in handling the additional traffic likely to arise from this proposal and traffic management generally, disruption from the construction project, concerns over drainage from the site, gas mains connection, sewerage treatment and the merits of enabling building, the listed building application only considers the architectural and historic merits of the project; these are all issues to be considered in assessing the parallel planning application.

Clearly the wildlife concerns insofar as they relates to the listed buildings have to be taken into account, however the appropriate surveys have been carried out by the applicant and the results, showing no bats within the buildings, have been accepted by the Council's Greenspace Manager He advises that no further reference to SNH is required on the basis that the concerns it expressed in the consultation response have been met.

I am therefore satisfied that the proposed conversion of the listed buildings to residential development is acceptable and accords with both the adopted and proposed Local Development Plans and associated guidance. Suitable conditions should be imposed to address some aspects of detailing of the proposed works.

## **RECOMMENDATION**

That listed building consent be granted subject to the following conditions:

1. That no development shall commence until full details of the following works to Balrossie House, the villa annexe and the watertower have been submitted to and approved in writing by the Planning Authority in consultation with Historic Environment Scotland:
  - Stonework repairs/replacement
  - Roof repairs.
  - Fenestration repairs/replacement.
  - Door repairs/replacement.
  - Guttering and downpipe repairs/replacement.
2. That no development shall commence until full details of the following works, including timescales for implementation, have been submitted to and approved in writing by the Planning Authority in consultation with Historic Environment Scotland:
  - Garden feature repairs/replacement.
  - Boundary repairs/replacement.
  - All hard and soft landscaping works.
3. That no development shall commence on site until full details of a programme for the completion and maintenance of hard and soft landscaping works have been submitted to and approved in writing by the Planning Authority.
4. That no development shall take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and agreed in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority.
5. That the recommendations in the Bat Hibernation Survey by Stone's Wildlife Management dated 25th January-10th March 2018 shall be implemented in full.

## Reasons

1. To ensure that the detailed works reflect the design and character of the existing listed buildings.
2. To ensure that the works within the curtilage of the listed buildings reflects the design and character of the buildings.
3. To ensure that landscaping works within the curtilage of the listed buildings are maintained to reflect the design and character of the buildings.
4. To allow for archaeological monitoring of any and all ground breaking work associated with the proposed development in the interests of antiquity.
5. In the interests of nature conservation.

Stuart Jamieson  
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Ashman on 01475 712416.

**Report To: The Planning Board**

**Date: 1<sup>st</sup> August 2018**

**Report By: Head of Regeneration and Planning**

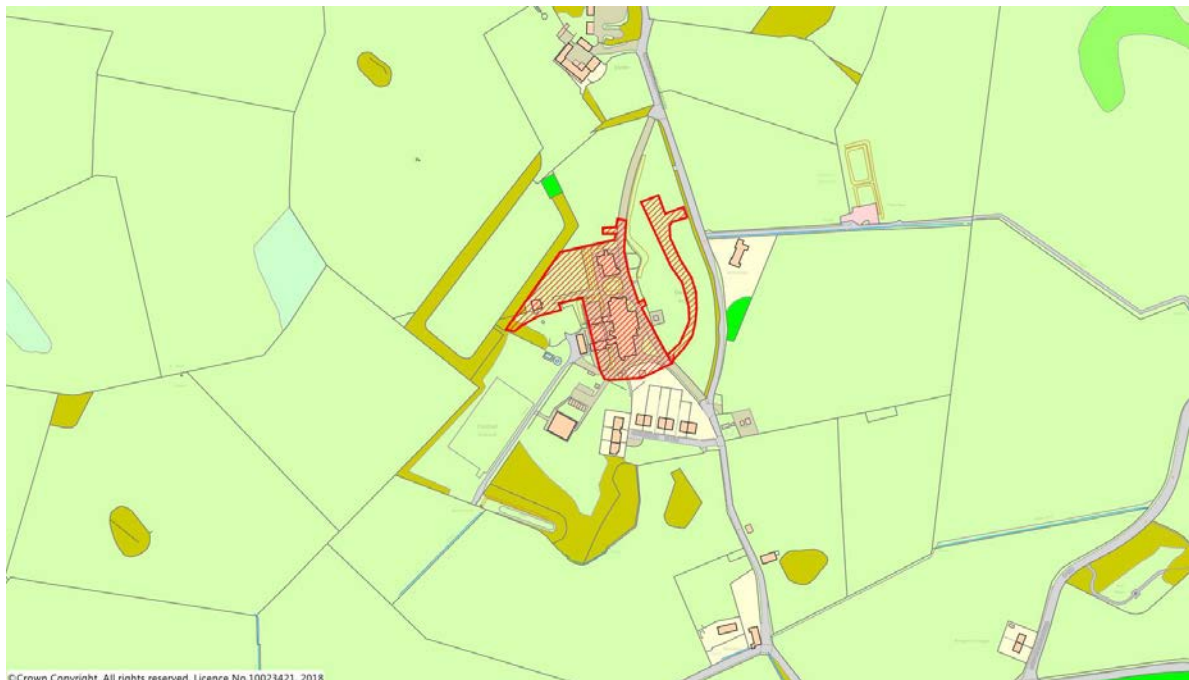
**Report No: 17/0351/IC**

**Local Application  
Development**

**Contact Officer: David Ashman**

**Contact No: 01475 712416**

**Subject: Conversion of existing Main Building, Annexe Building and Water Tower into residential units. Main Building - façade retention to North, South and East elevations with full reconstruction of west elevation, internal floor plates and roof, new windows throughout. Annexe Building - internal alterations and repairs to suit new layout. Roof overhauled/reslated, new windows throughout. Water Tower Building – Existing ground floor walls retained with new upper floor construction to match existing at Balrossie House, Blacksholm Road, Kilmacolm**



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## **SUMMARY**

- The proposal accords with the Inverclyde Development Plan.
- Seven representations have been received, six raising objections. Most frequent objections relate to access and infrastructure concerns.
- Consultees present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

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### **Inverclyde Local Development Plan**

#### **Policy HER4 - Alteration, Extension and Demolition of Listed Buildings**

There is a presumption in favour of the retention of listed buildings, and their demolition, in full or in part, will only be accepted after a full assessment of the importance and condition of the building has been undertaken. Proposals to alter, extend or demolish a listed building must respect the reasons for listing, be of a high standard and will be approved only where the proposed works do not adversely affect the special interest of the building and are satisfactory having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series

#### **Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside**

Development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or
- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;
- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy ENV7 - Biodiversity**

The protection and enhancement of biodiversity will be considered in the determination of planning applications, where appropriate. Planning permission will not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

Inverclyde Council, in conjunction with its partners, will continue to develop habitat and species action plans through the approved Local Biodiversity Action Plan (LBAP) in order to manage and enhance the biodiversity of the Inverclyde area.

### **Policy RES3 - Residential Development Opportunities**

Residential development will be encouraged and supported on the sites and indicative locations included in Schedule 6.1 and indicated on the Proposals Map. An annual audit of the housing land supply will monitor and review, and where necessary, augment the Effective Land Supply, to maintain a minimum five year's supply in accordance with the GCV SDP and SPP guidance.

### **Policy INF4 - Reducing Flood Risk**

Development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. There may be exceptions for infrastructure if a specific location is essential for operational reasons and the development is designed to operate in flood conditions and to have minimal impact on water flow and retention.

All developments at risk of flooding will require to be accompanied by a Flood Risk Assessment (FRA) and should include a freeboard allowance, use water resistant materials where appropriate and include suitable management measures and mitigation for any loss of flood storage capacity.

### **Policy INF5 - Sustainable Urban Drainage Systems**

Proposed new development should be drained by appropriate Sustainable Urban Drainage Systems (SUDS) designed in accordance with the CIRIA SUDS Manual (C697) and, where the scheme is to be adopted by Scottish Water, the Sewers for Scotland Manual Second Edition. Where the scheme is not to be adopted by Scottish Water, the developer should indicate how the scheme will be maintained in the long term.

Where more than one development drains into the same catchment a co-ordinated approach to SUDS provision should be taken where practicable.

## **Policy TRA2 - Sustainable Access**

New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to submit a transport assessment and a travel plan, if appropriate. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs, and have regard to the Council's Core Paths Plan, where appropriate. Where development occurs which makes it necessary to close Core Paths and other safeguarded routes, provision of an alternative route will be required.

The Council will also support and seek to complete the Inverclyde Coastal Route with developers required to make appropriate provision when submitting planning applications. National Routes 75 and 753 of the National Cycle Network will also be protected.

**Planning Application Advice Note (PAAN) 7** on "Window Replacement in Conservation Areas and in Listed Buildings" applies.

## **PROPOSED DEVELOPMENT PLAN POLICIES**

### **Policy 8 - Managing Flood Risk**

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- be at significant risk of flooding;
- increase the level of flood risk elsewhere; and
- reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

### **Policy 9 - Surface and Waste Water Drainage**

New build development proposals which require surface water to be drained should demonstrate that this will be achieved through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

### **Policy 10 - Promoting Sustainable and Active Travel**

Development proposals, proportionate to their scale and proposed use, are required to:



- provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; the green network; and historic buildings and places.

#### **Policy 14 - Green Belt and Countryside**

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

#### **Policy 16 - Contaminated Land**

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use.

#### **Policy 18 - New Housing Development**

New housing development will be supported on the sites identified in Schedule 4, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Development Briefs for Housing Sites, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development. There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages which are brought forward under Policy 17 to be available for social rent. Supplementary Guidance will be prepared in respect of this requirement.

#### **Policy 29 - Listed Buildings**

Proposals for development affecting a listed building, including its setting, are required to protect its special architectural or historical interest. In assessing proposals, due consideration will be given to how the proposals will enable the building to remain in active use.

Demolition of listed buildings will not be supported.

## **Policy 33 - Biodiversity and Geodiversity**

### Natura 2000 sites

Development proposals that are likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site or if:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, including those of a social or economic nature; or
- compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

### Sites of Special Scientific Interest

Development affecting Sites of Special Scientific Interest will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or if any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

### Protected Species

Development affecting Protected Species will only be permitted where:

- it preserves public health or public safety or is for other imperative reasons of overriding public interest including those of a social or economic nature and has beneficial consequences of primary importance for the environment;
- there is no satisfactory alternative; and
- it maintains the species in a favourable conservation status.

### Local Nature Conservation Sites

Development is required to avoid having a significant adverse impact on Local Nature Conservation Sites. Any adverse impacts are to be minimised. Where adverse impacts are unavoidable, compensatory measures will be required.

### Local Landscape Area

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special features as set out in the Statement of Importance.

### Non-designated sites

The siting and design of development should take account of local landscape character. All development should seek to minimise adverse impact on wildlife, especially species and habitats identified in the Local Biodiversity Action Plan. Development should take account of connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

**Proposed Planning Application Advice Note (PAAN) 7** on "Window Replacement in Conservation Areas and in Listed Buildings" applies.

## **CONSULTATIONS**

**Head of Environmental and Commercial Services** – no objection subject to compliance with the following:

- Parking spaces shall be a minimum of 2.5m by 5m.
- The aisle within the car park at the main building shall be 6m wide.
- All roads in the site shall be a minimum of 5.5m wide and footpaths 2m wide.
- All roads shall have a gradient of 8% or less.
- A visibility splay of 2.4m by 43m by 1.05m shall be provided from the main access onto Blacksholm Road.

- The visitor parking spaces adjacent to plots 39 and 46 shall be formed at 90 degrees to the road - the new layout shall be submitted to the Roads Service for approval.
- Traffic calming shall be provided within the development to allow the promotion of a 20mph speed limit.
- The turning heads within the site do not appear to comply with the dimensions provided in the National Roads Development Guide - the applicant shall redesign the layout accordingly for approval by the Roads Service.
- A Road Construction Consent will be required for all new roads, footways and footpaths.
- A lighting and electrical design for adoptable areas will be required. A system of lighting shall be kept operational at all times within the existing public adopted areas.
- A field drain should be installed at the bottom of the slopes around the site to prevent any surface water flowing onto the road.
- Confirmation of connection to Scottish Water Network should be submitted for approval.
- A Road Bond will be required if building works are to be undertaken before roads are completed.
- The drainage strategy is acceptable subject to conditions addressing the containment of surface water within the site; surface water discharge being limited to that of greenfield run-off; a detailed drainage drawing being submitted for approval; detailed drainage design should be submitted for approval including the outfall to the river; a maintenance regime for the surface water should be submitted for approval.

It is noted that the existing accesses to the site will be closed to vehicular traffic, therefore a stopping up order is not required.

**Greenspace Manager** – the bat survey submitted by the applicant is acceptable.

**Scottish Natural Heritage** - the applicant should provide the following additional information:

- Clarification on the roost suitability of the structures;
- Dawn and dusk survey's in line with the Bat Conservation Trust (BCT) Good Practice Guidelines (2016) and appropriate to the roost suitability;
- A map showing the number of surveyors, surveyor locations and justification for any areas of no coverage in line with the BCT guidelines;
- Details of transect/automated surveys;
- An assessment of the hibernation potential on the site;
- Further survey of the four trees noted to have PRFs and likely to be affected by works or a clear statement that none of these trees will be affected;
- A species protection plan, if bats are found to be on site and likely to be affected by the proposals.

If planning permission is approved without this further information the applicant is at risk of being unable to make practical use of the planning permission, or the applicant committing an offence under protected species legislation.

**Head of Safer and Inclusive Communities** - no objections subject to conditions in respect of Japanese Knotweed, contaminated land, controls on external lighting, minimisation of noise disruption, isolation of lift mechanisms and sound insulation. Advisory notes are suggested in respect of site drainage, vermin and gull control, construction regulations, septic tanks and surface water controls.

**Scottish Gas Networks** – no objection.

**Scottish Water** - no objection. Advice and guidance is provided on making potential connections to Scottish Water plant and apparatus.

**Scottish Environment Protection Agency West** - no objection provided there is no detrimental impact on water quality.

**Kilmacollm Community Council** – support in principle the conversion and restoration of the buildings but object due to lack of information on timing of this versus the new build and the

potential impact on the roads in the area. A presentation by the developer on these points would be welcomed.

## **PUBLICITY**

The application was advertised in the Edinburgh Gazette and Greenock Telegraph on 10th November 2017 as development affecting a listed building.

## **SITE NOTICES**

A site notice was posted on 10th November 2017 for development affecting a listed building.

## **PUBLIC PARTICIPATION**

Seven representations have been received, six object to the application and one supports. While the objectors present general support for the retention of the listed buildings, the points of objection may be summarised as follows:

- It is not clear why the conversion and new build applications are separate and not the one application.
- There is a lack of information regarding the timing of new build and conversions.
- Blacksholm Road and other connected roads are not suitable for the level of traffic which would be generated by this proposal as they are single track in places, with no footways and blind bends. This is a risk to people and horses.
- An alternative access to the site from the B788 should be considered.
- Lack of public transport means that everyone will use cars.
- Blacksholm Road already floods and further run off from the site will make this worse.
- There is a lack of adequate gas, water and sewerage facilities and concerns over capacity.
- There are concerns over maintenance of proposed SUDS facilities.
- Development may result in the loss of wildlife (buzzards, pheasants, bats and owls specifically mentioned).
- There is a lack of a full waste recycling service from the Council.
- Some of the existing site has been voluntarily maintained by neighbours for years and they should be gifted the land.
- There is concern this proposal will be supported to stop others around Kilmacolm.

The representation in support is from Kilmacolm Civic Trust, which has some reservations on pedestrian access to and from Kilmacolm and the proposed vehicle access point. The existing remote footpath is considered to be in a poor state and it requests the developer be required to upgrade the quality of the path. Establishing other pedestrian linkages is considered to be too dangerous. It also requests that an alternative access from the B788 be investigated.

## **ASSESSMENT**

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Accordingly the application must be assessed against the Clydeplan Strategic Development Plan and the adopted Inverclyde Local Development Plan, Planning Application Advice Note 7 on "Window Replacement in Conservation Areas and in Listed Buildings", and the Supplementary Guidance on "Enabling Development". It must also take into consideration the proposed Local Development Plan, proposed Planning Application Advice Note 7, Historic Environment Scotland's Policy Statement (which supersedes the SHEP) and "Managing Change in the Historic Environment" guidance notes on "Demolition", "Doorways", "External Walls", "Interiors", "Roofs" and "Windows", the impact on the architectural integrity and historic interest of the buildings, the consultee replies, public representations and the applicant's supporting information.

The relevant Development Plan policies consider the implications of development in the Green Belt, protection of the listed buildings, biodiversity, flood risk, drainage, sustainable transport and land contamination.

The principle of conversion of this listed building presents no conflict with the Green Belt policies. Development Plan Policy ENV2 of the adopted Local Development Plan and Policy 14 of the proposed Local Development Plan both support the appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds. As a listed building and being a former childrens' home this building matches the criteria. Both plans respond to Policy 14 of the Clydeplan Strategic Development Plan in identifying the Green Belt boundary and this proposal has no impact on this.



Balrossie House

Furthermore, Policy RES3 of the adopted Local Development Plan and Policy 18 of the proposed Local Development Plan identify the site as a housing development opportunity within the Green Belt. Schedule 6.1 to Policy RES3 and Schedule 4 to Policy 18 both identify an indicative capacity of 40 dwellings at this site, including a new build element. This application only concerns itself with the conversion of existing buildings, which at 12 proposed new flatted dwellings in the main building, 2 semi-detached villas in the annexe and one detached dwelling in the water tower is well within the overall anticipated site capacity.

Policy HER4 of the adopted Local Development Plan and Policy 29 of the proposed Local Development Plan are the key policies in consideration of the impact of the proposals on the listed building status. Policy HER4 presumes in favour of the retention of listed buildings. Proposals to alter, extend or demolish them must respect the reasons for listing, be of a high standard and will be approved only where the proposed works do not adversely affect the special interest of the building and are satisfactory having regard to Historic Environment Scotland's Policy Statement and "Managing Change in the Historic Environment" guidance note series. Policy 29 addresses proposals for development affecting a listed building, including its setting, indicating that they are required to protect its special architectural or historical interest. In assessing proposals, due consideration will be given to how the proposals will enable the building to remain in active use. Demolition of listed buildings will not be supported.

Historic Environment Scotland acknowledges in its Policy Statement that in assessing an application for planning permission for the conversion of a listed building, a planning authority is

required to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. In this instance the most significant buildings are to be retained, with the extent of external modification to Balrossie House largely limited to the demolition of an extension and rear elevation alterations. The main alterations to the villa annexe are to the rear with a side elevation demolition. I am satisfied that the applicant has sensitively limited the number of interventions required to bring these two buildings back into use as residences. Substantial vertical enlargement is required to the water tower feature building to facilitate conversion to form a dwellinghouse, but the historical evidence suggests that this is an attempt to restore the building to close to its original exterior. I consider all the modifications will be in harmony with the character of the buildings, will largely preserve the architectural integrity and allow for their longer term retention to the benefit of the heritage of the area. I also note that there are no remaining internal features of merit that would be adversely affected by the proposals.



Annexe

Turning to the relevant Historic Environment Scotland guidance notes, although the “Demolition” guidance note is aimed at whole building demolitions, I am satisfied that the demolitions of non-original extensions and associated buildings of lesser importance are a positive development in respect of the architectural integrity of the main building, the annexe and their setting. There are no demolitions affecting the water tower.

Referring to guidance on “Doorways”, the original doorways in all three buildings are largely being respected. One opening is being closed on a side elevation of the main building but this is not to the detriment of the character. Changes are necessary to external walls and roofs to bring the buildings into habitable condition but I regard these as being sensitively handled with reference to the corresponding guidance notes. As noted earlier, little of the interior of the buildings remains intact either due to previous alterations or as a result of the effects of weathering and vandalism.

Finally, considering “Windows”, the guidance note accepts there will be circumstances where windows are beyond retrieval and require to be replaced. It specifies a number of matters to be addressed in their replacement. Adopted PAAN7 and proposed PAAN7 note that replacement windows should match the design of the original windows, should be painted to accord with the original colour, where appropriate glazing bars should match the original in position and size and that, if sash and case windows are used, the bottom sash should be capable of opening inwards. I note that most of the existing windows are boarded up and that those exposed have significantly weathered or been vandalised to the extent that they cannot be re-used. Where visible on the site, most of the original windows appear to be timber sliding sashes. I note that the applicant intends to refurbish the buildings generally with double glazed timber sash and

casement windows, which is acceptable. The detailing of these can be covered by condition but the replacement windows proposed are, in principle, largely in character with the buildings and in accordance with the guidance note on "Windows" and adopted and proposed PAAN7s.

I am also influenced by the consultation reply from Historic Environment Scotland to the associated listed building application 17/0038/LB. It indicates that this application is welcomed, particularly given the ongoing deterioration and vandalism that is occurring; the proposals do not raise historic environment issues of national significance; Historic Environment Scotland is happy to comment on further submissions; and that consideration on outstanding matters such as repair details and new fittings may be addressed by conditions.

Impacts of the proposed development on biodiversity are addressed by Policy ENV7 of the adopted Local Development Plan and Policy 33 of the proposed Local Development Plan. It is required that planning permission should not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation, with development minimising adverse impact on wildlife and designed to conserve and enhance biodiversity. Appropriate surveys have been carried out by the applicant and the results of the surveys and studies, showing no bats within the buildings, have been submitted to and accepted by the Council's Greenspace Manager. He advises that no further reference to SNH is required on the basis that the concerns have been met. I am therefore satisfied that there are no adverse implications for wildlife and therefore the terms of Policy ENV7 and Policy 33 have been addressed.

Policy INF4 of the adopted Local Development Plan and Policy 8 of the proposed Local Development Plan seek to reduce flood risk and manage flood risk respectively. Furthermore, Policy INF5 of the adopted Local Development Plan and Policy 9 of the proposed Local Development Plan address sustainable urban drainage systems, both requiring that surface water drainage is dealt with by sustainable means in accordance with Scottish Water's requirements and guidance. Supporting information provided by the applicant has been considered by the Scottish Environment Protection Agency (SEPA) and the Head of Environmental and Commercial Services. SEPA has no objection in principle subject to there being no detrimental impact on water quality; any concerns in this respect relate to the proposed package waste treatment plant to which the converted buildings will connect. There is an existing septic tank serving the established houses at Balrossie Drive. The replacement plant will serve the existing houses, the listed building conversions and the proposed new build enabling development, and it will connect into the existing site drainage outfall which discharges to Gryffe Water. The Head of Safer and Inclusive Communities is satisfied with the proposed arrangements subject to conditions. The Head of Environmental and Commercial Services is satisfied with the information which has been submitted to date in respect of drainage but requires that certain matters be reserved by condition. I have no objection to these approaches to dealing with outstanding matters. In view of the above I consider the terms of Policies INF4, INF5, 8 and 9 have been addressed. It should be noted that as the site is remote from the built-up area there is a lack of infrastructure other than the sewerage arrangements already addressed above. It is the responsibility of the applicant to ensure that adequate connections are made and contact is established with the appropriate utilities. If capacity is an issue then it will be for the applicant to fund any adaptations required to allow the development to proceed.

Policy TRA2 of the adopted Local Development Plan and Policy 10 of the proposed Local Development Plan both address sustainable access in terms of travel and transport, aiming to direct major trip-generating developments to locations accessible by walking, cycling and public transport. The policies also require developers to submit a transport assessment and a travel plan, if appropriate; the Head of Environmental and Commercial Services advises that a travel plan and transport assessment are not ordinarily required for residential developments and are not required in this instance. It is acknowledged that Blacksholm Road presently lacks dedicated pedestrian facilities but the applicant has shown remote footpaths within the site which allow good internal movement, one of which also directs pedestrians to the existing core path from Blacksholm Road to Kilmacolm. Although Kilmacolm Civic Trust requests the upgrade of this footpath it is not within the applicant's ownership and therefore an improvement cannot be secured by condition. It is also acknowledged that, being in a relatively remote location outwith the built-up area and not on a public transport route, there will inevitably be a high

dependency on the use of private transport. Ultimately it has to be considered if the relative lack of sustainable transport opportunities is of such material significance as to outweigh the benefits of bringing the listed buildings back into use thereby ensuring their retention in the interests of the cultural heritage. In common with decisions previously made for development of this site in the past, I consider that retention of the buildings outweighs the sustainable travel implications.

Policy 16 of the proposed Local Development Plan requires that development proposed on land that the Council considers to be potentially contaminated can only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures. To address this, the Head of Safer and Inclusive Communities requests conditions to control Japanese Knotweed and site contamination within the curtilage of the listed buildings.

Having considered the implications on the Green Belt, protection of the listed buildings, biodiversity, flood risk, drainage, sustainable transport and land contamination as required by the Development Plan, I consider that, on balance, the proposals accord with the Development Plan. It remains to be established, however, if there are any material considerations which suggest that planning permission should not be granted. In this respect I turn to the remaining consultation responses and points of objection not addressed above.

I note public concerns expressed about the capability of Blacksholm Road to handle the additional traffic likely to arise from this proposal and traffic management generally, however the Head of Environmental and Commercial Services has expressed no such concern. As the field to the south of the site is not fully within the applicant's ownership the possibility of a connection to the B788 is outwith the applicant's control, especially in respect of visibility splays, and the proposed access to the site has to be considered as submitted. The consultation responses from the Head of Environmental and Commercial Services and the Head of Safer and Inclusive Communities present no additional points to suggest that planning permission be refused. It should be noted that the consultation reply from the Head of Environmental and Commercial Services addressed all four linked applications and many of the matters raised in respect of this application relate more properly to applications 18/0076/IC and 18/0077/IC.

While I note the lack of a full waste recycling service for existing adjacent houses and the use of some of the land by neighbours over previous years, these are not considerations material to determination of the application. I also note concern over this proposal being considered in the context of other proposed developments around Kilmacolm but each application has to be treated on merit with reference to the Development Plan; regardless of proposals for residential development elsewhere in the Kilmacolm area, this is an identified housing site in the approved Local Development Plan.

I note the concerns of Kilmacolm Community Council on the timing of the conversions versus the new building provision. This is addressed in my assessment of the new build proposals under the assessment of applications 18/0076/IC and 18/0077/IC, also being reported to this meeting of the Planning Board. It suffices to say here that the timing of the new buildings will be controlled by condition.

I am therefore satisfied that there are no material considerations which suggest that planning permission should not be granted. I consider that the proposal should be supported but that conditions should be imposed to address some aspects of detailing of the proposed works.

## **RECOMMENDATION**

That the application be granted, subject to the following conditions:

1. That no development shall commence until full details of the following works to Balrossie House, the villa annexe and the watertower have been submitted to and approved in writing by the Planning Authority in consultation with Historic Environment Scotland:
  - Stonework repairs/replacement
  - Roof repairs.



- Fenestration repairs/replacement.
  - Door repairs/replacement.
  - Guttering and downpipe repairs/replacement.
2. That no development shall commence until full details of the following works have been submitted to and approved in writing by the Planning Authority in consultation with Historic Environment Scotland:
    - Garden feature repairs/replacement.
    - Boundary repairs/replacement.
    - All hard and soft landscaping works.
  3. That no development shall commence on site until full details of a programme for the completion and maintenance of hard and soft landscaping works have been submitted to and approved in writing by the Planning Authority.
  4. That no development shall take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and agreed in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority.
  5. That no dwelling shall be occupied until the footway, road and parking spaces serving the dwelling are completed to sealed base course level.
  6. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas.
  7. That all surface water originating within the site shall be intercepted within the site and the discharge shall be limited to that of greenfield run-off.
  8. That prior to the commencement of development a detailed drainage design drawing shall be submitted to and approved in writing by the Planning Authority and this shall include details of the outfall to the river.
  9. That prior to the commencement of development a maintenance regime for the surface water shall be submitted to and approved in writing by the Planning Authority.
  10. That prior to the commencement of development, confirmation of connection to the Scottish Water Network shall be submitted for approval.
  11. That prior to the commencement of construction, a full and detailed description of the sewage treatment facility which will service the proposed development of the former Balrossie home shall be submitted to and approved by the Planning Authority. The description must include a calculation of the estimated throughput, the type of treatment being undertaken, details of any discharge, its location and rate and a scale plan of the facility.
  12. That none of the dwellings hereby permitted shall be occupied until the sewage treatment facility approved in terms of condition 11 above becomes operational.
  13. That the applicant shall ensure that no works within the application site interrupt the service provisions to the adjacent existing houses on Balrossie Drive at any point during construction operations.

14. That the recommendations in the Bat Hibernation Survey by Stone's Wildlife Management dated 25<sup>th</sup> January-10<sup>th</sup> March 2018 shall be implemented in full.

#### Reasons

1. To ensure that the detailed works reflect the design and character of the existing listed buildings.
2. To ensure that the works within the curtilage of the listed buildings reflects the design and character of the buildings.
3. To ensure that landscaping works within the curtilage of the listed buildings are maintained to reflect the design and character of the buildings.
4. To allow for archaeological monitoring of any and all ground breaking work associated with the proposed development in the interests of antiquity.
5. To ensure the provision of adequate traffic and pedestrian facilities.
6. To control runoff from the site to reduce the risk of flooding.
7. To control runoff from the site to reduce the risk of flooding.
8. To control runoff from the site to reduce the risk of flooding.
9. To ensure that the site remains clear of flooding in the longer term.
10. To ensure adequate service connections can be achieved.
11. To ensure the provision of adequate sewerage arrangements.
12. To ensure the provision of adequate sewerage arrangements.
13. In the interests of amenity of adjacent residents.
14. In the interests of nature conservation.

Stuart Jamieson  
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Ashman on 01475 712416.

Report To: The Planning Board

Date: 1<sup>st</sup> August 2018

Report By: Head of Regeneration and Planning

Report No: 18/0076/IC

Local Application  
Development

Contact Officer: David Ashman

Contact No: 01475 712416

Subject: Planning application for 27 No. new build houses with associated roads infrastructure and new package waste treatment plant at Balrossie House, Blacksholm Road, Kilmacolm



## SUMMARY

- The proposal accords with the Inverclyde Development Plan.
- Eleven representations and a petition with sixty six signatories have been received. Most frequent objections relate to the impact on road safety and visual impact.
- Consultees present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=P5AA3KIMGFH00>

## **SITE DESCRIPTION**

The former Balrossie childrens' home is set in the countryside and located on Blacksholm Road north of its junction with the B788 road, approximately 1 mile west of Kilmacolm. The wider area is characterised by rolling farmland with isolated farm steadings.

The home and villa annexe are set at the front of the site, behind which was the staff annexe and a small single storey ornamental building. All are listed category B by Historic Environment Scotland.

The main building is a 2-storey Scottish Renaissance building with gothic details and a pitched roof with a prominent centre gabled section and 2 single-storey service wings extending from the rear. The annexe is a 2-storey, 3-bay villa. The ornamental building is a small, square-plan, flat-roofed water tower building originally forming a focal point in the garden. The listing of buildings also extends controls to boundary features, including the existing entrance gates at the north and south ends of the original driveway into the site.

Adjacent to the site lies a group of houses at Balrossie Drive originally associated with the former use but now in private ownership.

The grounds around the listed buildings have not been maintained in recent years and some self-seeded trees have also become established over time.

## **PROPOSAL**

Planning permission and listed building consent were previously granted in September 2007 and February 2015 for the conversion of the listed buildings and enabling new build housing but were not implemented. It is now proposed to revisit development of the site in a different form. This is being done through the submission of four applications; this application proposes "27 No. new build houses with associated roads infrastructure and new package waste treatment plant", planning application 18/0077/IC proposes "22 no. new build houses with associated roads infrastructure and new package waste treatment plant", listed building application 17/0038/LB seeks listed building consent for the conversion and alteration of all three listed buildings to bring them into use as habitable dwellings, and planning application 17/0351/IC seeks planning permission for the same works as the listed building consent application.

The application site covers approximately 1.92 hectares and is of irregular shape but is concentrated largely to the south of Balrossie House.

The proposed new vehicular access is to be taken from Blacksholm Road approximately 100 metres to the north-east of Balrossie House. The access will consist of a 5.5 metres wide carriageway with a 2 metres wide footway on its eastern edge. The access road will swing to the south of and alongside Balrossie House before thereafter forming a loop within the southern part of the grounds. The proposed dwellings are largely located to the south of the proposed new access road and consist of a mix of twenty-seven 3 to 5 bedroom detached and semi-detached villas. All are of a thematic design and finish, comprising natural slate roofs with minimal fascias supporting metal rainwater goods, painted wet dash render with a smooth band render close to ground level and timber windows with banded surrounds. The proposal includes the erection of fences and fence/wall combinations along boundaries and elements of new soft landscaping. Several mature trees will require to be removed but replacement planting is indicated.

The applications are supported by a raft of documentation including a Design and Access Statement, a condition survey of the listed buildings, a tree survey and arboricultural report, an ecological survey and costings justifying the provision of new build in relation to phased works to secure the long term future of the listed buildings. The applicant has set out the intended programme in the supporting documentation, noting that redevelopment of the listed buildings alone is not financially viable. The proposed programme is to demolish and remove all outbuildings and extensions not required; make the listed buildings safe and secure and mitigate any further damage; build the site infrastructure and the first 22 houses before carrying

out the full refurbishment of the listed buildings. It is expected to take 12-24 months for the refurbishment and this is to be completed prior to completion of the final 6 new build houses (49 are proposed in total). Construction works are expected to take 3½ years with sales lagging 6 months behind construction, thus completing the whole development within 4 years. It is explained that the current proposals are as a result of local demand and re-profiling the house types after extensive market research which has revealed a demand for smaller family houses.

## **DEVELOPMENT PLAN POLICIES**

### **Clydeplan Strategic Development Plan**

#### **Policy 1 - Placemaking**

New development should contribute towards the creation of high quality places across the city region.

In support of the Vision and Spatial Development Strategy new development proposals should take account of the Placemaking Principle set out in Table 1.

#### **Policy 8 - Housing Land Requirement**

In order to provide a generous supply of land for housing and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy, Local Authorities should:

- make provisions in Local Development Plans for the all tenure Housing Land Requirement by Local Authority set out in Schedule 8, for the Private Housing Land Requirement by Housing Sub-Market Area set out in Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in Schedule 10;
- allocate a range of sites which are effective or expected to become effective in the plan periods to meet the Housing Land Requirement, for each Housing Sub-Market Area and for each Local Authority, of the SDP up to year 10 from the expected year of adoption;
- provide for a minimum of 5 years effective land supply at all times for each Housing Sub-Market Area and for each Local Authority; and,
- undertake annual monitoring of completions and land supply through Housing Land Audits.

Local Authorities should take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for housing developments, on greenfield or brownfield sites, subject to satisfying each of the following criteria:

- the development will help to remedy the shortfall which has been identified;
- the development will contribute to sustainable development;
- the development will be in keeping with the character of the settlement and the local area;
- the development will not undermine Green Belt objectives; and,
- any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

#### **Policy 13 - Forestry and Woodland**

##### **Forestry and Woodland**

In support of the Vision and Spatial Development Strategy and to achieve the national woodland coverage targets set out in the Scottish Forestry Strategy (2006), development proposals, where appropriate, should

- support the retention and expansion of forestry and woodland (or multi-functional woodland resource) in keeping with the Forestry and Woodland Strategy and related Spatial Framework (Background Report 12); and,

- minimise the loss of existing trees and include, where appropriate, the planting of new trees, woodlands and forestry in support of the Scottish Government's Control of Woodland Removal Policy or as replaced by Supplementary Guidance referred to below.

Supplementary Guidance will be produced to replace the Forestry and Woodland Strategy (Background Report 12). This will update the information and guidance currently contained within it, including that set out at paragraph 8.12. The Supplementary Guidance should be submitted to Ministers within 1 year of the date of approval of this plan.

#### **Policy 14 - Green Belt**

In support of the Vision and Spatial Development Strategy, Local Authorities should:

- designate within Local Development Plans, the inner and outer boundaries of the Green Belt to ensure the objectives set out in paragraph 8.15 are achieved;
- collaborate to ensure consistency across Local Development Plan areas when defining or altering Green Belt boundaries.

#### **Policy 16 - Improving the Water Quality Environment and Managing Flood Risk and Drainage**

To support the Vision and Spatial Development Strategy and to achieve the objectives set out in paragraph 8.28 Local Development Plans and development proposals should protect and enhance the water environment by

- adopting a precautionary approach to the reduction of flood risk;
- supporting the delivery of the Metropolitan Glasgow Strategic Drainage Plan;
- supporting the delivery of the Glasgow and Clyde Valley Green Network; and
- safeguarding the storage capacity of the functional floodplain and higher lying areas for attention.

#### **Inverclyde Local Development Plan**

##### **Policy SDS3 - Place Making**

High-quality place making in all new development will be promoted by having regard to Inverclyde's historic urban fabric, built cultural heritage and natural environment, including its setting on the coast and upland moors. This heritage and environment will inform the protection and enhancement of Inverclyde by having regard to the Scottish Government's placemaking policies, in particular through the application of 'Designing Places' and 'Designing Streets' and through embedding Green Network principles in all new development.

##### **Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside**

Development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or
- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;

- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy ENV6 - Trees and Woodland**

Trees, groups of trees and woodland designated as Tree Preservation Orders (TPOs) will be safeguarded. Where it is considered necessary to protect other trees and woodland areas for amenity reasons, new Tree Preservation Orders will be promoted.

Trees and woodland will be protected and enhanced by having regard to the Scottish Government's Woodland Removal Policy and through:

- (a) promoting the planting of broad leaved and native species, or other species with known biodiversity benefits;
- (b) protecting and promoting the positive management of hedgerows, street trees and any other trees considered to contribute to the amenity of the area;
- (c) protecting and promoting the positive management of ancient and semi-ancient natural woodlands; and
- (d) encouraging the planting of appropriate trees as an integral part of new development.

Woodland creation proposals will be guided by the GCV Forestry and Woodland Framework Strategy (FWS), where priority locations for woodland management and expansion in Inverclyde will be assessed against the following criteria in accordance with the UK Forestry Standard:

- (e) the benefits of woodland creation to the value of the existing habitat;
- (f) contribution to the enhancement of the wider Green Network;
- (g) the safeguarding of nature conservation and archaeological heritage interests;
- (h) safeguarding of water supplies;
- (i) the area's landscape character;
- (j) integration with agricultural interests;
- (k) existing and potential public access and recreational use;
- (l) woodland design and the proposed mix of species; and
- (m) points of access to and operational tracks through woodlands.

### **Policy ENV7 - Biodiversity**

The protection and enhancement of biodiversity will be considered in the determination of planning applications, where appropriate. Planning permission will not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

Inverclyde Council, in conjunction with its partners, will continue to develop habitat and species action plans through the approved Local Biodiversity Action Plan (LBAP) in order to manage and enhance the biodiversity of the Inverclyde area.

### **Policy RES3 - Residential Development Opportunities**

Residential development will be encouraged and supported on the sites and indicative locations included in Schedule 6.1 and indicated on the Proposals Map. An annual audit of the housing land supply will monitor and review, and where necessary, augment the Effective Land Supply, to maintain a minimum five year's supply in accordance with the GCV SDP and SPP guidance.

## **Policy RES7 : Residential Development in the Green Belt and Countryside**

The development of new dwellings in the Green Belt and Countryside, identified on the Proposals Map, will be supported only if the proposal is for either

- (1) a single or small group of dwellings not adjoining the urban area; or
- (2) the conversion of redundant non-residential buildings, that are for the most part intact and capable of conversion for residential use without recourse to substantial demolition and rebuilding.

In addition, all proposals must fall within one of the following categories:

- (a) demolition and replacement of habitable dwellings which cannot otherwise be brought up to acceptable building standards and where the proposed building reflects the scale of the existing building and is sympathetic to the character, pattern of development and appearance of the area; or
- (b) sub-division of an existing dwelling house(s) for the provision of one or more additional units where any new build element is clearly ancillary to the completed building; or
- (c) conversion of redundant, non-residential buildings, where the proposal requires to be supported by proof of the building's redundancy to demonstrate that it no longer meets its original purpose, as well as a structural survey indicating that the building may be utilised for the proposed use substantially in its current form, and that any proposed extensions to existing building(s) or ancillary new build element will need to be proven to be required to make the development financially viable, with details of costs to be submitted; or
- (d) is justified by the operational needs of farms or other businesses or activities which are inherently rural in nature and where the applicant will be required to make a land management or business case to the satisfaction of the Council: or
- (e) is part of an integrated project with significant employment and/or economic benefits which is in accordance with other policies of the Local Development Plan and where the Council is satisfied that the dwelling(s) are essential to ensure the implementation of the whole development and that such considerations are of sufficient weight to merit support.

Further detailed policy relating to this type of development is contained in the Supplementary Guidance on Planning Application Advice Notes

## **Policy HER5 - The Setting of Listed Buildings**

Development will be required to have due regard to the effect it has on the setting of, and principal views to, listed buildings and shall be without detriment to their principal elevations and the main approaches to them. All proposals will be assessed having regard to Historic Scotland's SHEP and 'Managing Change in the Historic Environment' guidance note series.

Proposals for enabling development to support the restoration of listed buildings will be considered favourably where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Note: The Council will adopt further detailed policy on this topic, setting out the criteria that will be used to assess individual proposals, as Supplementary Guidance.

## **Policy HER7 - Development Affecting Archaeological Sites**

Development which will have an adverse effect on Scheduled Monuments or their setting will only be permitted in exceptional circumstances and where it is satisfactory having regard to Historic Scotland's 'Managing Change in the Historic Environment' guidance note series. Development on or adjacent to other archaeological sites, as included on the Council's database of sites of archaeological importance, will normally be permitted only where there is



no adverse impact on the resource. Where development is permitted affecting these sites of archaeological importance, conditions will be attached to planning permissions to allow for excavation and recording before or during development. Any survey reports or works sought by the Council will require to be funded by the developer.

#### **Policy INF4 - Reducing Flood Risk**

Development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. There may be exceptions for infrastructure if a specific location is essential for operational reasons and the development is designed to operate in flood conditions and to have minimal impact on water flow and retention.

All developments at risk of flooding will require to be accompanied by a Flood Risk Assessment (FRA) and should include a freeboard allowance, use water resistant materials where appropriate and include suitable management measures and mitigation for any loss of flood storage capacity.

#### **Policy INF5 - Sustainable Urban Drainage Systems**

Proposed new development should be drained by appropriate Sustainable Urban Drainage Systems (SUDS) designed in accordance with the CIRIA SUDS Manual (C697) and, where the scheme is to be adopted by Scottish Water, the Sewers for Scotland Manual Second Edition. Where the scheme is not to be adopted by Scottish Water, the developer should indicate how the scheme will be maintained in the long term.

Where more than one development drains into the same catchment a co-ordinated approach to SUDS provision should be taken where practicable.

#### **Policy TRA2 - Sustainable Access**

New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to submit a transport assessment and a travel plan, if appropriate. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs, and have regard to the Council's Core Paths Plan, where appropriate. Where development occurs which makes it necessary to close Core Paths and other safeguarded routes, provision of an alternative route will be required.

The Council will also support and seek to complete the Inverclyde Coastal Route with developers required to make appropriate provision when submitting planning applications. National Routes 75 and 753 of the National Cycle Network will also be protected.

**Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development" applies.

**Planning Application Advice Note (PAAN) 8** on "Siting and Design of New Houses in the Countryside" applies.

**Supplementary Guidance on "Enabling Development"** applies.

### **PROPOSED DEVELOPMENT PLAN POLICIES**

#### **Policy 1 - Creating Successful Places**

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

## **Policy 8 - Managing Flood Risk**

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- be at significant risk of flooding;
- increase the level of flood risk elsewhere; and
- reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

## **Policy 9 - Surface and Waste Water Drainage**

New build development proposals which require surface water to be drained should demonstrate that this will be achieved through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

## **Policy 10 - Promoting Sustainable and Active Travel**

Development proposals, proportionate to their scale and proposed use, are required to:

- provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; the green network; and historic buildings and places.

## **Policy 14 - Green Belt and Countryside**

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

### **Policy 16 - Contaminated Land**

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use.

### **Policy 17 - Land for Housing**

The Council will undertake an annual audit of housing land in order to ensure that it maintains a 5 year effective housing land supply. If additional land is required for housing development, the Council will consider proposals with regard to the policies applicable to the site and:

- a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan; and
- evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.
- a requirement for 25% of houses on new greenfield release sites in the Inverclyde villages to be available for social rent.

### **Policy 18 - New Housing Development**

New housing development will be supported on the sites identified in Schedule 4, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Development Briefs for Housing Sites, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages which are brought forward under Policy 17 to be available for social rent. Supplementary Guidance will be prepared in respect of this requirement.

### **Policy 29 - Listed Buildings**

Proposals for development affecting a listed building, including its setting, are required to protect its special architectural or historical interest. In assessing proposals, due consideration will be given to how the proposals will enable the building to remain in active use.

Demolition of listed buildings will not be supported.

### **Policy 30 - Enabling Development**

Proposals for enabling development to support the restoration of listed buildings will be considered favourably where it can be clearly shown to be the only means of preventing the loss of the listed building and securing its long term future. Any enabling development is required to be the minimum necessary to achieve this aim. The resultant development is required to be designed and sited carefully to preserve or enhance the character and setting of the listed building. Further detail will be set out in the Council's Supplementary Guidance on Enabling Development which will form part of the assessment of any proposals.

### **Policy 31 - Scheduled Monuments and Archaeological Sites**

Development that would potentially have an adverse effect on a Scheduled Monument will only be permitted in exceptional circumstances.

Development affecting archaeological sites should seek to preserve the archaeological resource in situ.

### **Policy 33 - Biodiversity and Geodiversity**

#### Natura 2000 sites

Development proposals that are likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site or if:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, including those of a social or economic nature; or
- compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

#### Sites of Special Scientific Interest

Development affecting Sites of Special Scientific Interest will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or if any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

#### Protected Species

Development affecting Protected Species will only be permitted where:

- it preserves public health or public safety or is for other imperative reasons of overriding public interest including those of a social or economic nature and has beneficial consequences of primary importance for the environment;
- there is no satisfactory alternative; and
- it maintains the species in a favourable conservation status.

#### Local Nature Conservation Sites

Development is required to avoid having a significant adverse impact on Local Nature Conservation Sites. Any adverse impacts are to be minimised. Where adverse impacts are unavoidable, compensatory measures will be required.

#### Local Landscape Area

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special features as set out in the Statement of Importance.

#### Non-designated sites

The siting and design of development should take account of local landscape character. All development should seek to minimise adverse impact on wildlife, especially species and habitats identified in the Local Biodiversity Action Plan. Development should take account of

connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

### **Policy 34 - Trees, Woodland and Forestry**

The Council supports the retention of ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- it can be clearly demonstrated that the development cannot be achieved without removal;
- the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council. This will also cover the management and protection of existing and new trees during and after the construction phase.

Proposals for new forestry/woodland planting will be assessed with regard to the Supplementary Guidance to be prepared in association with the Clydeplan Strategic Development Plan, and the UK Forestry Standard.

**Proposed Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development" applies.

**Proposed Planning Application Advice Note (PAAN) 8** on "Siting and Design of New Houses in the Green Belt and the Countryside" applies.

**Supplementary Guidance on "Enabling Development"** applies.

### **CONSULTATIONS**

**Greenspace Manager** – The ecological survey information provided by the applicant is satisfactory and addresses concerns.

**Land Use Consultants** – Although the application is light on information in respect of landscaping proposals there is no reason for planning permission to be refused. Further information in respect of landscaping proposals and tree protection measures should be sought in advance of works commencing on site.

**Head of Environmental and Commercial Services** – The following comments have been provided:

- Visitor parking shall be provided on the basis of 0.25 spaces per dwelling (unallocated).
- The minimal dimensions for a garage are 7m by 3m with minimum clear access dimensions of 2.1m by 1.98 m high. The garage dimensions do not accord therefore each plot shall require parking provision within the plot boundaries.
- Driveways shall be paved to a minimum of 2 metres to prevent loose material being spilled onto the road.
- Driveways shall be a minimum of 3m by 5.5m and the gradient shall not exceed 10%.
- The driveways at plots 12 and 30 are close to bends. The applicant shall provide evidence that these driveways have sufficient visibility for the approval of the Roads Service.
- The visitor parking spaces shall be a minimum of 2.5m by 5m.
- All roads shall be a minimum of 5.5m wide.
- The footpaths shall be a minimum of 2m wide.
- The applicant shall provide evidence to the Roads Service that all roads have a gradient of 8% or less. The road does not appear to meet this standard.
- The applicant has demonstrated that a visibility splay of 2.4m by 43m by 1.05m can be provided from the main access onto Blacksholm Road.

- Traffic calming shall be provided within the development to allow the promotion of a 20mph speed limit.
- Roads construction consent will be required for all new roads, footways and footpaths.
- It is noted that the accesses to the existing site will be closed to vehicular traffic, therefore a stopping up order is not required.
- The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required. A system of lighting shall be kept operational at all times within the existing public adopted areas.
- All surface water during and after development requires to be maintained within the site boundary. A field drain should be installed at the bottom of the slopes around the site to prevent any surface water flowing onto the road.
- Confirmation of connection to Scottish Water Network should be submitted for approval.
- The drainage strategy is acceptable subject to conditions addressing the containment of surface water within the site; surface water discharge being limited to that of greenfield run-off; a detailed drainage drawing being submitted for approval; detailed drainage design should be submitted for approval including the outfall to the river; a maintenance regime for the surface water should be submitted for approval.
- Confirmation of SEPA acceptance and proof of CAR licence should be submitted for approval.
- A road bond will be required if building works are to be undertaken before roads are complete.

**Head of Safer and Inclusive Communities** – No objection subject to conditions in respect of Japanese Knotweed, contaminated land, external lighting, full details of the sewerage treatment facility, minimisation of noise disruption from the site and sound insulation of the buildings. Advisory notes are requested in respect of site drainage, vermin and gull control, the Construction (Design & Management) Regulations 2015 and surface water control.

**Scottish Water** - No objections. A series of advisory notes are suggested.

**Scottish Environment Protection Agency West** - No objection.

**Scottish Power** - No objection, although there are cables within the area. Contact from the developer is encouraged.

**Scottish Gas** – There is no plant in the vicinity.

**Property Assets Manager** - the valuation figures for the properties are reasonable considering the location and the size of the units and the proposed level of new build houses should generate sufficient capital for the conversion of the listed buildings to occur.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 16th March 2018 as development affecting the setting of listed buildings.

## **SITE NOTICES**

A site notice was posted on 16th March 2018 for affecting the setting of listed buildings.

## **PUBLIC PARTICIPATION**

Eleven representations and a petition with 66 signatories have been received in respect of the application. Nine of the individual representations object to the application and 3 are in support. The petitioners object to the application. The points of objection may be summarised as follows:

### Traffic/pedestrian safety issues

- The road infrastructure in the vicinity is barely sufficient for current traffic before more is added, noting blind bends, lack of a pavement and regular farm traffic. Particular concern is expressed about the new entrance point, the junction of Blacksholm Road with the B788. The lack of public transport is also noted.
- More traffic on Blacksholm Road will deter pedestrian use.
- A traffic risk assessment should be carried out (there are health and safety concerns over vehicle manoeuvres).
- An access directly from the B788 would be a better solution.
- Construction vehicles will block Blacksholm Road.
- The bridges between the site and Kilmacolm may not take the weight of some vehicles.
- Poor road markings at the junction of Blacksholm Road and the B788 constitute a hazard.

### Infrastructure concerns

- There are existing flooding problems on Blacksholm Road caused by poor drainage, which the proposal will add to.
- There are concerns over sewerage arrangements.
- There may be loss of water supply to adjacent property.
- There are concerns over other utility capacity, such as gas, water, telecoms and Scottish Power (the latter due to potential increase in electric vehicle use).

### Procedural issues

- The proposals should have been considered as one application.
- The renovation should take place before the new build.
- Proper public consultation should be undertaken.

### Miscellaneous issues

- Wildlife concerns, especially bats and owls. There is also concern about the impact on neighbouring horses.
- The current lack of full recycling service needs to be addressed.
- The remote location will result in more shopping delivery vehicles and other such vehicles.
- New residents who will not be “country minded” may not drive in an appropriate manner to the area and other road users.
- There are concerns over boundary treatment (a timber fence to stop desire lines being formed is requested).

The support for the proposal includes two representations from Kilmacolm Civic Trust in which it supports bringing the listed buildings and grounds back into use. This will regenerate the wider site and bring trade to Kilmacolm and younger membership to clubs and organisations. It also supports the proposal as helping to meet a need for housing in the area. It expresses reservations, however, that the existing remote footpath is considered to be in a poor state and requests a condition be used requiring the developer to upgrade the quality of the path. Establishing other pedestrian linkages is considered to be too dangerous. It also request that an alternative access from the B788 should be investigated.

The other supporting representation refers to the proposed development being the only viable solution to address the drainage issues. It is noted that Blacksholm Road has been much improved making safer access to the site more feasible and that that the tree survey suggests key trees and a degree of rural environment will be maintained.

## ASSESSMENT

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Accordingly the application must be assessed against the Clydeplan Strategic Development Plan and the adopted and proposed Inverclyde Local Development Plans, the adopted and proposed Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" and PAAN8 on "Siting and Design of New Houses in the Countryside", the adopted and proposed Supplementary Guidance on "Enabling Development", Historic Environment Scotland's Policy Statement (which replaces the SHEP) and the "Managing Change in the Historic Environment guidance note on "Setting", the consultee replies, public representations, the applicant's supporting information and the planning history of the site.

The relevant Development Plan policies consider the implications of development in the Green Belt, the setting of the listed buildings, placemaking, residential development, forestry and woodland, biodiversity, flood risk, drainage, sustainable transport, land contamination and archaeology. The key determining issues are whether or not the proposal can be justified as enabling development in support of the retention and conversion of the Balrossie listed buildings and, thereafter, if the proposed layout is acceptable in all aspects.

The application site is located within the Green Belt under Policy ENV2 of the adopted Inverclyde Local Development Plan and Policy 14 of the proposed Inverclyde Local Development Plan. Both plans respond to Policy 14 of the Clydeplan Strategic Development Plan in identifying the Green Belt boundary.



Chapter 10 of the Clydeplan Strategic Development Plan introduces Diagram 10: Assessment of Development Proposals. The purpose is to aid a consistent application and implementation of the Strategic Development Plan and should be used when assessing strategic scale development proposals. The Diagram is used to determine whether strategic proposals comply with the Strategic Development Plan. While part of the grounds at Balrossie is identified as a Residential Development Opportunity in the adopted Local Development Plan, the area of ground which is the subject of this application is not. Consequentially, as the proposal is for more than 10 new residential units outwith a designated housing site in the adopted Local Development Plan it is a strategic scale development. On this basis, Diagram 10 requires to be consulted and the proposal has to be assessed against Policy 8 of the Strategic Development Plan (although Policy 9 is also referred to in the Diagram it is considered that this site does not require to make an affordable housing provision as it is not a quota site within the adopted Local Development Plan)\*. Policy 8 relates to the housing land requirement and specifies the demand on local authorities to ensure the provision of a supply of land for housing. As the application site is not identified in the relevant land supply schedule for the adopted Local Development Plan it does not, in theory, support the Vision, Spatial Development Strategy and Placemaking Policy of the Strategic Development Plan. As an apparent departure from the Strategic



Development Plan, it needs to be considered if it is an acceptable departure having regard to various criteria set out in the Diagram.

I find two criteria to support the development; enabling development in support of cultural heritage in the form of the retained listed buildings, and a specific locational need to be adjacent to and therefore directly associated with the relevant buildings. On this basis I consider that, in principle, the proposal is an acceptable departure from the Strategic Development Plan. More detailed consideration is required, however, against the relevant policies of the adopted and proposed Local Development Plans and their associated relevant supplementary guidance.

As noted, the application site is within the Green Belt, designated under adopted Local Development Plan Policy ENV2. This Policy indicates that development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances. The equivalent Policy 14 in the proposed Local Development Plan indicates that development in the Green Belt will only be permitted if it is appropriately designed, located, and landscaped, and is associated with one of a number of criteria, the most relevant of which is d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained. The impact of the conversion proposals are assessed in the reports on applications 17/0351/IC and 17/0038/LB. It suffices to say here that my conclusion is favourable in these reports and, therefore, I find there to be exceptional circumstances which apply in this instance, connected with the re-use of redundant buildings whose retention is desirable for their historic interest and architectural character. The proposals can therefore be justified under Policies ENV2 and 14.

The proposed development forms an essential part of the enabling works intended to support the re-use of the historic buildings. Such development falls to be assessed under Policy HER5 of the adopted Local Development Plan and Policies 29 and 30 of the proposed Local Development Plan, which indicate enabling development will be considered favourably if it appears to be the only means of preventing the loss of the listed buildings and the securing their long term future. The siting of the enabling development is also to sensitively address the setting of the listed buildings, having regard to the effect on the setting of, and principal views to the listed buildings without detriment to the principal (front) elevations and the main approaches.

The applicant has submitted information showing that the proposed enabling new build development is the only means of preventing the loss of the listed buildings. Their condition has continued to deteriorate in recent years to the extent that it is not financially feasible to simply restore and convert the buildings themselves. This was accepted to be the case with approval of the previous application for new build in the vicinity of Balrossie and is more so the case now with the further deterioration that has occurred. The most recent planning permission for the whole Balrossie development, new build and refurbishment, came to a total of 40 dwellings. This figure is reflected in the relevant schedules to Policy RES3 of the adopted Local Development Plan and Policy 18 of the proposed Local Development Plan. The applicant now seeks a total of 64 dwellings, which includes 49 new build houses (the balance of 22 houses is assessed in the report on planning application 18/0077/IC). It is explained that the figures reflect what research indicates is development capable of being successfully marketed, with the originally approved dwellings reduced in sized but increased in number to be more reflective of marketable family sized houses. The financial case has been assessed by the Property Assets Manager and has been found to be acceptable. The figures indicate the level of new build housing as the minimum necessary to achieve this aim and the developer's phasing plan, based on the cash flow needed to be generated to convert and restore the listed buildings has not been questioned. With regard to the siting of the new build in relation to the listed buildings, I am satisfied that it does not adversely impact upon the principal elevations or the main approaches to them, which in this case are all to the front. I therefore find the proposal also accords with Historic Environment Scotland's Policy Statement and the "Managing Change in the Historic Environment guidance note on "Setting".

I am also satisfied that the proposals are supported by Policy HER5 of the adopted Local Development Plan and Policies 29 and 30 of the proposed Local Development Plan and the associated supplementary guidance. While this creates a tension with Policy RES7 of the

adopted Local Development Plan, which does not specifically address enabling development circumstances, in light of the foregoing I consider Policy HER5 takes precedence.

It now needs to be considered if the detailed layout is acceptable in all other policy terms.

The application plans show a range of detached and semi-detached properties, together with the provision of roads and footways and small areas of open space. The proposal cannot be considered in isolation, however, not only because of the enabling aspect of the proposals but also because of the substantial open space which surrounds the site. The proposals are considered to satisfy adopted and proposed PAAN3 in respect of minimum garden ground dimensions, notably exceeding them in most instances. The design of the proposed houses respects the guidance in adopted and proposed PAAN8s in respect of the siting and design of new houses in the Green Belt.

It also requires to be considered however, if the proposals help create a sense of place and, in this respect, Policy 1 of the Strategic Development Plan, Policy SDS3 of the adopted\* Local Development Plan and Policy 1 of the proposed Local Development Plan are relevant. These policies all set out factors which contribute to successful places. Having considered the relevant key factors of being distinctive, adaptable, resource efficient, easy to move around, safe and pleasant and welcoming I consider the proposal accords with these aims. Most notable are the common design themes between the dwellings, which respect the main listed buildings without seeking to pastiche them, and the intention of the applicant to create a unified landscaping solution to provide a coherent development leading to a sense of place. I also note the proposed network of paths linking the development to the wider area. Their provision may be controlled by condition.



As much of the site is previously undeveloped land and will involve some tree removal, Policies 13 of the Clydeplan Strategic Development Plan, ENV6 of the adopted Local Development Plan, and 34 of the proposed Local Development Plan apply. These policies address trees and woodland, emphasising their protection and retention but seeking re-planting where this is not possible. Most mature trees are concentrated on the periphery of the wider development site, although most tree removal will occur as a result of the current application. This is due to the position of the proposed houses but is also required as a matter of safety as the trees are largely mature specimens which would be within falling distance of the proposed houses. I note that the application has been supported by an arboricultural report by an appropriately qualified person and that many of the trees to be removed come into the lowest category under British Standard classification, meaning that they are in such a condition that they cannot realistically be retained as living trees in the context of the current land for longer than 10 years. Whilst the loss of any mature trees is regrettable and will make some of the new build development visible from the B788 to the south, I consider, on balance, that the public benefits of the proposal do outweigh the loss of some trees. I further note that the majority of the better conditioned trees to the northern part of the site are to be retained and that the applicant is committed to a

replanting programme where trees are to be removed. This matter can be controlled by condition. I am therefore satisfied that the abovementioned Policies 13, 34 and ENV6 can be successfully addressed with the re-establishment of some arboricultural provision in the longer term.

Development of the site and the proposed tree removal also has implications for wildlife and biodiversity. Policies ENV7 of the adopted Local Development Plan and 33 of the proposed Local Development Plan address biodiversity issues. They indicate that planning permission will not be granted for development that is likely to have an adverse effect on protected species. The application site is not a designated site but, nevertheless, the applicant has commissioned a full range of surveys to address wildlife concerns, including protected species. These have been considered by Scottish Natural Heritage, at an earlier stage, and by the Council's Greenspace Manager. The latter is satisfied that the work carried out has been to the appropriate professional standards and supports the conclusion that there are no significant adverse implications for biodiversity as a result of the proposal. Further consultation with SNH was not required as a result of his conclusions and their comments relate to the earlier incomplete survey picture. The requirements of the abovementioned Policies ENV7 and 33 have therefore been addressed. The recommendations of the reports can be addressed by condition.

Matters relating to drainage and sewerage arrangements have also been considered in detail by the applicant. Policies INF4 and INF5 of the adopted Local Development Plan and 8 and 9 of the proposed Local Development Plan address the management and reduction of flooding risk and the use of SUDS to help do so. Both the Scottish Environment Protection Agency and the Head of Environmental and Commercial Services have no objection to the proposed drainage solutions, subject to the use of appropriate conditions. As the application site is in a remote location a foul sewer connection is not possible and the applicant has chosen to introduce a new package waste treatment plant close to the site entrance to connect into the existing site drainage outfall. The Head of Safer and Inclusive Communities has been considering this waste solution and has concluded that the proposed arrangements and method of disposal are acceptable but that some matters should be reserved by condition. It should be noted that the existing system which serves the properties at Balrossie Drive is no longer fully functional following the cutting off of the electricity supply and the proposed new facility will also be of positive benefit to the existing adjacent residents. It will be a civil matter for the applicant to ensure that this and other utility connections to the existing adjacent houses are not disturbed during construction works. Overall, I am therefore satisfied that the proposal addresses the terms of Policies INF4 and INF5 of the adopted Local Development Plan and 8 and 9 of the proposed Local Development Plan.

There is the potential for contamination on the site from Japanese Knotweed and soil contaminants from previous uses. The Head of Safer and Inclusive Communities is satisfied, however, that these matters may be addressed by conditions on a grant of planning permission. There are other matters raised in the consultation response but as these relate to controls under other legislation they may be more properly addressed by advisory notes. I am therefore satisfied that the concerns of Policy 16 of the proposed Local Development Plan, which considers issues around potential contamination, may be addressed by conditions.

Policies TRA2 of the adopted Local Development Plan and 10 of the proposed Local Development Plan both address the issue of sustainable travel. The aim is to direct major trip-generating development to locations accessible by walking, cycling and public transport. Transport assessments and travel plans should accompany development proposals if appropriate. The proposed development does not require to be the subject of either a transport assessment or a travel plan. It is noted that the application site is in a location remote from the urban area and that there are a lack of footways on Blacksholm Road and the B788 for pedestrians to use. It is also noted that whilst there is a remote footpath which connects to Kilmacolm it is in poor condition. It is also the case that the land associated with the footpath is not in the applicant's ownership and, therefore, cannot be the subject of a condition requiring its upgrading. It is accepted that, being in a remote location it is likely that future occupants will be largely dependent on private transport. I note that the Head of Environmental and Commercial Services does not raise any concerns with regard to safety implications of the likely increased

level of vehicular traffic including construction and other commercial traffic, nor are concerns raised over the ability of the road infrastructure in the vicinity to accommodate the proposed development. I note some requests for access to be taken from the B788 as an alternative arrangement but the applicant does not control all of the land which would be required for a visibility splay to be formed. Furthermore, the application has to be considered as submitted. Whilst the application site is therefore not in the most accessible location with regard to sustainable travel, I give greater weight to the cultural heritage benefits offered by the proposal in the retention of the listed buildings.

The final Policies to be considered are HER7 of the adopted Local Development Plan and 31 of the proposed Local Development Plan. The policies address the protection of antiquity encouraging avoidance of adverse impacts. This issue was recognised through consultation on the previous application on the site. It was concluded that a watching brief condition would suffice. There has been no development in the interim period and it is considered that the same approach should be taken to address this matter.

Drawing together my assessment of the proposal against the relevant policies of the Development Plan and the proposed Local Development Plan, together with the associated supplementary guidance and that of Historic Environment, I conclude that the proposal can be justified as enabling development in support of the retention and conversion of the Balrossie listed buildings. I also conclude that the proposal is acceptable in its own right with respect to design, layout and all relevant matters associated with it. It remains to be considered, however, if there are any other material considerations which suggest that planning permission should not be granted for this development which has been considered acceptable when assessed against the Development Plan. In this respect the remaining consultation replies and points of objection not yet addressed require consideration.

I note the consultation reply from the Council's landscape consultant, LUC and, in particular, its consideration that planning permission should not be refused but that more detail is required on the proposed landscaping scheme and tree protection measures. I propose to deal with these matters by condition. With respect to those elements of the consultation reply from the Head of Environmental and Commercial Services not yet addressed, all the required layout dimensions, including road gradients have been met by the applicant through the submission of revised plans during the processing of the application. The visibility splay requirement may be met by condition. Issues relating to traffic calming, road construction consent, street lighting and roads bonds are matters for other legislation and may be addressed through advisory notes on a grant of planning permission. Advisory notes will also be required to address the replies from Scottish Water and Scottish Power.

One objector raised concern over utility capacities. It will be for the applicant to arrange for connections where possible and address the utility company requirements for making any connections. It is for the applicant to decide whether to make a gas main connection to the pipeline to the south of the site or to provide a remote supply based within the site. A planning condition can be used to address the latter eventuality.

I note concerns over how the applicant has approached submission of the applications and, in particular, that there should only have been one application. Whilst the applicant could have submitted one planning application (a separate listed building application would always have been required), it was decided not to. A major application comprises 50 or more dwellings or a site of 2 hectares or more in area. The Regulations do not, however, prevent an applicant from submitting smaller contiguous applications thus negating the need to carry out the pre-application consultation envisaged by the Regulations. In terms of phasing, the applicant has set out the intended phasing which the Property Assets Manager has found to be justified and which may be controlled by condition. Whilst making the listed buildings wind and watertight will be early in the process it is possible that the developer could complete up to 22 houses and not, thereafter, complete the conversion works to the listed buildings. In view of the conclusion reached by the Property Assets Manager on the costings programme, however, this is required to present the circumstances under which the listed buildings may be saved. There are no known alternative proposals for saving the buildings and their future is becoming ever more precarious. The provision of cleansing and recycling services is a matter to be addressed by the Head of

Safer and Inclusive Communities under the relevant legislation. Boundary treatments can be made the subject of a condition. Finally, I note concerns over the level of care new residents will take on the roads but this is not a relevant material consideration.

I am therefore satisfied that there are no material considerations which suggest that planning permission should not be granted. I do consider, however, that a range of conditions are required to address many of the issues raised above.

## **RECOMMENDATION**

That the application be granted, subject to the following conditions:

1. That no development shall commence on site until a phasing plan linking the commencement of construction and the occupation of all new houses approved under this permission and that of planning permission 18/0077/IC to the restoration and completion of all works to the listed buildings as detailed in listed building consent 17/0038/LB, and including the front boundary gates and railings, has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt development shall not commence on construction of the approved new dwellinghouses until the listed buildings have been secured and made wind and watertight; the 23rd dwellinghouse hereby permitted or, cumulatively, permitted by planning permission 18/0077/IC shall not be occupied until work has commenced on restoration and conversion of the listed buildings; and that the 6th last dwellinghouse hereby permitted or, cumulatively, permitted by planning permission 18/0077/IC shall not be occupied until work has been completed on the listed buildings as detailed in listed building consent 17/0038/LB.
2. That prior to their use, samples of all facing materials to be used in the construction of the dwellings hereby permitted shall be submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter using the approved materials unless a variation is agreed in writing with the Planning Authority.
3. That prior to their use samples of all hard landscaping materials shall be submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless any alternative is agreed in writing with the Planning Authority.
4. That prior to the commencement of development full details of all soft landscaping within the site, including a phasing plan and details of management and maintenance arrangements, shall be submitted to and approved in writing by the Planning Authority.
5. That the landscaping scheme approved in terms of condition 4 above shall be implemented in full in accordance with the agreed phasing plan. Any of the planting which is damaged, is removed, becomes diseased or dies within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species.
6. That prior to the commencement of development, full details of the equipped play area identified under planning permission 18/0077/IC, including details of management and maintenance arrangements, shall be submitted to and approved in writing by the Planning Authority including a phasing plan for provision of the play area. The play area shall subsequently be provided in accordance with the approved phasing plan.
7. That a visibility splay of 2.4 metres by 43 metres by 1.05 metres shall be provided at the main access onto Blacksholm Road prior to the commencement of development and shall be maintained at all times thereafter.
8. That for the avoidance of doubt, road gradients shall not exceed 8% and driveway gradients shall not exceed 10%.

9. That no dwelling shall be occupied until the footway and road serving the dwelling is completed to sealed base course level.
10. That prior to the last of the dwellings approved under this permission or that of planning permission 18/0077/IC being occupied, all footways and roads serving the dwellings shall be completed to final wearing course level.
11. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas.
12. That all surface water originating within the site shall be intercepted within the site and the discharge shall be limited to that of greenfield run-off.
13. That prior to the commencement of development a detailed drainage design drawing shall be submitted to and approved in writing by the Planning Authority and this shall include details of the outfall to the river.
14. That prior to the commencement of development a maintenance regime for the surface water shall be submitted to and approved in writing by the Planning Authority.
15. That prior to the commencement of development, confirmation of connection to the Scottish Water Network shall be submitted for approval.
16. That prior to the commencement of development confirmation of SEPA's acceptance and proof of CAR licence shall be submitted for approval.
17. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.
18. That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.
19. That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.
20. That the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.

21. That prior to the commencement of construction, a full and detailed description of the sewage treatment facility which will service the proposed development of the former Balrossie home shall be submitted to and approved by the Planning Authority. The description must include a calculation of the estimated throughput, the type of treatment being undertaken, details of any discharge, its location and rate and a scale plan of the facility.
22. That none of the dwellings hereby permitted shall be occupied until the sewage treatment facility approved in terms of condition 21 above becomes operational.
23. That in the event the gas supply to the development site comprises on-site storage facilities, full details of all proposed plant shall be submitted to and approved in writing by the Planning Authority. The approval shall pre-date the start of construction work on the site.
24. That details of the location of the approved boundary treatments shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development. For the avoidance of doubt the fence/wall combination shall be used on the public realm boundaries of approved plots 12, 13, 15, 23, 29, 30, 40-45.
25. That the approved fences and fence/wall combinations shall be erected for each plot prior to the occupation of the relevant plot.
26. That existing trees both within the development site and in the vicinity of the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012.
27. That no tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive, and all such works will be preceded by a check for nesting birds in accordance with the Nature Conservation (Scotland) Act 2014 and the protection of wildlife. No development shall take place until details of protection measures have been submitted to and approved in writing by the Planning Authority.
28. That the recommendations of the Tree Survey & Arboricultural Report by Langton Tree Specialists, dated October 2017, shall be implemented in full.
29. That no development shall take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and agreed in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources is undertaken to the satisfaction of the Planning Authority.
30. That the remote footpaths shown on drawing linking the development to Blacksholm Road shall be provided prior to the last of the dwellinghouses hereby permitted being occupied. Full details of the means of connection and surfacing of the paths shall be submitted to and approved in writing by the Planning Authority prior to their provision.
31. That the recommendations contained within the Stone's Wildlife Management "Ecological Walk Over to re-survey", "Badger Survey" and "Bat Hibernation Survey" documents submitted to the Planning Authority in May 2018 shall be implemented in full.
32. That the applicant shall ensure that no works within the application site interrupt the service provisions to the adjacent existing houses on Balrossie Drive at any point during construction operations.

## Reasons

1. To ensure that the provision of enabling development is linked to the restoration of the listed buildings.
2. In the interests of visual amenity.
3. To ensure the suitability of these materials.
4. To ensure the provision of an adequate landscaping scheme in the interests of visual amenity.
5. To ensure retention of the approved landscaping scheme.
6. To ensure the provision of adequate play facilities.
7. In the interests of vehicular and pedestrian safety.
8. To ensure the usability of the roads and driveways.
9. To ensure the provision of adequate traffic and pedestrian facilities.
10. To ensure the provision of adequate traffic and pedestrian facilities.
11. To control runoff from the site to reduce the risk of flooding.
12. To control runoff from the site to reduce the risk of flooding.
13. To control runoff from the site to reduce the risk of flooding.
14. To ensure that the site remains clear of flooding in the longer term.
15. To ensure adequate service connections can be achieved.
16. To ensure an acceptable water environment is achieved as a consequence of the development.
17. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
18. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
19. To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.
20. To ensure that all contamination issues are recorded and dealt with appropriately.
21. To ensure the provision of adequate sewerage arrangements.
22. To ensure the provision of adequate sewerage arrangements.
23. In the interests of visual amenity and public safety.
24. In the interests of visual amenity.
25. In the interest of privacy.
26. To ensure preservations of the trees not to be removed.



27. In the interests of wildlife protection.
28. In the interests of a sustainable arboricultural environment.
29. In the interests of antiquity.
30. To ensure the provision of adequate footpath connections.
31. In the interests of wildlife protection.
32. In the interests of amenity of adjacent residents.

Stuart Jamieson  
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Ashman on 01475 712416.

Report To: The Planning Board

Date: 1<sup>st</sup> August 2018

Report By: Head of Regeneration and Planning

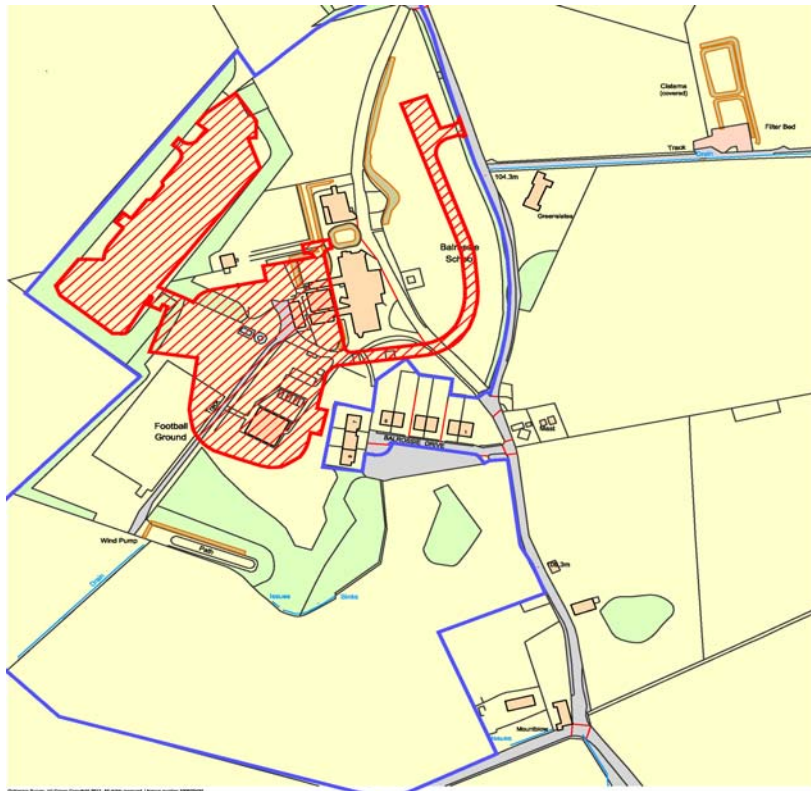
Report No: 18/0077/IC

Local Application  
Development

Contact Officer: David Ashman

Contact No: 01475 712416

Subject: Planning application for 22 no. new build houses with associated roads infrastructure and new package waste treatment plant at Balrossie House, Blacksholm Road, Kilmacolm



## SUMMARY

- The proposal accords with the Inverclyde Development Plan.
- Eleven representations and a petition with sixty six signatories have been received. Most frequent objections relate to the impact on road safety and visual impact.
- Consultees present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=P5AA4XIMGFM00>

## **SITE DESCRIPTION**

The former Balrossie childrens' home is set in the countryside and located on Blacksholm Road north of its junction with the B788 road, approximately 1 mile west of Kilmacolm. The wider area is characterised by rolling farmland with isolated farm steadings.

The home and villa annexe are set at the front of the site, behind which was the staff annexe and a small single storey ornamental building. All are listed category B by Historic Environment Scotland.

The main building is a 2-storey Scottish Renaissance building with gothic details and a pitched roof with a prominent centre gabled section and 2 single-storey service wings extending from the rear. The annexe is a 2-storey, 3-bay villa. The ornamental building is a small, square-plan, flat-roofed water tower building originally forming a focal point in the garden. The listing of buildings also extends controls to boundary features, including the existing entrance gates at the north and south ends of the original driveway into the site.

Adjacent to the site lies a group of houses at Balrossie Drive originally associated with the former use but now in private ownership.

The grounds around the listed buildings have not been maintained in recent years and some self-seeded trees have also become established over time.

## **PROPOSAL**

Planning permission and listed building consent were previously granted in September 2007 and February 2015 for the conversion of the listed buildings and enabling new build housing but were not implemented. It is now proposed to revisit development of the site in a different form. This is being done through the submission of four applications; this application proposes "22 no. new build houses with associated roads infrastructure and new package waste treatment plant", planning application 18/0077/IC proposes "27 No. new build houses with associated roads infrastructure and new package waste treatment plant", listed building application 17/0038/LB seeks listed building consent for the conversion and alteration of all three listed buildings to bring them into use as habitable dwellings, and planning application 17/0351/IC seeks planning permission for the same works as the listed building consent application.

The application site covers approximately 1.95 hectares and is of irregular shape but is concentrated largely to the west of Balrossie House.

The proposed new vehicular access is to be taken from Blacksholm Road approximately 100 metres to the north-east of Balrossie House. The access will consist of a 5.5 metres wide carriageway with a 2 metres wide footway on its eastern edge. The access road will swing to the south of and alongside Balrossie House before thereafter forming a loop within the southern part of the grounds, continuing northwards to the rear of the House. The proposed dwellings are largely located to the north and east of the proposed new access road and will consist of a mix of twenty-two 4 and 5 bedroom detached villas. All of the proposed dwellings are of a thematic design and finish, comprising natural slate roofs with minimal fascias supporting metal rainwater goods, painted wet dash render with a smooth band render close to ground level and timber windows with banded surrounds. The proposal includes the erection of fences and fence/wall combinations along boundaries and elements of new soft landscaping. Several mature trees will require to be removed as a result of the proposals but replacement planting is also indicated.

The applications are supported by a raft of documentation including a Design and Access Statement, a condition survey of the listed buildings, a tree survey and arboricultural report, an ecological survey and costings justifying the provision of new build in relation to phased works to secure the long term future of the listed buildings. The applicant has set out the intended programme in the supporting documentation, noting that redevelopment of the listed buildings alone is not financially viable. The proposed programme is to demolish and remove all outbuildings and extensions not required; make the listed buildings safe and secure and mitigate any further damage; build the site infrastructure and the first 22 houses before carrying

out the full refurbishment of the listed buildings. It is expected to take 12-24 months for the refurbishment and this is to be completed prior to completion of the final 6 new build houses (49 are proposed in total). Construction works are expected to take 3½ years with sales lagging 6 months behind construction, thus completing the whole development within 4 years. It is explained that the current proposals are as a result of local demand and re-profiling the house types after extensive market research which has revealed a demand for smaller family houses.

## **DEVELOPMENT PLAN POLICIES**

### **Clydeplan Strategic Development Plan**

#### **Policy 1 - Placemaking**

New development should contribute towards the creation of high quality places across the city region.

In support of the Vision and Spatial Development Strategy new development proposals should take account of the Placemaking Principle set out in Table 1.

#### **Policy 8 - Housing Land Requirement**

In order to provide a generous supply of land for housing and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy, Local Authorities should:

- make provisions in Local Development Plans for the all tenure Housing Land Requirement by Local Authority set out in Schedule 8, for the Private Housing Land Requirement by Housing Sub-Market Area set out in Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in Schedule 10;
- allocate a range of sites which are effective or expected to become effective in the plan periods to meet the Housing Land Requirement, for each Housing Sub-Market Area and for each Local Authority, of the SDP up to year 10 from the expected year of adoption;
- provide for a minimum of 5 years effective land supply at all times for each Housing Sub-Market Area and for each Local Authority; and,
- undertake annual monitoring of completions and land supply through Housing Land Audits.

Local Authorities should take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for housing developments, on greenfield or brownfield sites, subject to satisfying each of the following criteria:

- the development will help to remedy the shortfall which has been identified;
- the development will contribute to sustainable development;
- the development will be in keeping with the character of the settlement and the local area;
- the development will not undermine Green Belt objectives; and,
- any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

#### **Policy 13 - Forestry and Woodland**

##### **Forestry and Woodland**

In support of the Vision and Spatial Development Strategy and to achieve the national woodland coverage targets set out in the Scottish Forestry Strategy (2006), development proposals, where appropriate, should

- support the retention and expansion of forestry and woodland (or multi-functional woodland resource) in keeping with the Forestry and Woodland Strategy and related Spatial Framework (Background Report 12); and,

- minimise the loss of existing trees and include, where appropriate, the planting of new trees, woodlands and forestry in support of the Scottish Government's Control of Woodland Removal Policy or as replaced by Supplementary Guidance referred to below.

Supplementary Guidance will be produced to replace the Forestry and Woodland Strategy (Background Report 12). This will update the information and guidance currently contained within it, including that set out at paragraph 8.12. The Supplementary Guidance should be submitted to Ministers within 1 year of the date of approval of this plan.

#### **Policy 14 - Green Belt**

In support of the Vision and Spatial Development Strategy, Local Authorities should:

- designate within Local Development Plans, the inner and outer boundaries of the Green Belt to ensure the objectives set out in paragraph 8.15 are achieved;
- collaborate to ensure consistency across Local Development Plan areas when defining or altering Green Belt boundaries.

#### **Policy 16 - Improving the Water Quality Environment and Managing Flood Risk and Drainage**

To support the Vision and Spatial Development Strategy and to achieve the objectives set out in paragraph 8.28 Local Development Plans and development proposals should protect and enhance the water environment by

- adopting a precautionary approach to the reduction of flood risk;
- supporting the delivery of the Metropolitan Glasgow Strategic Drainage Plan;
- supporting the delivery of the Glasgow and Clyde Valley Green Network; and
- safeguarding the storage capacity of the functional floodplain and higher lying areas for attention.

#### **Inverclyde Local Development Plan**

##### **Policy SDS3 - Place Making**

High-quality place making in all new development will be promoted by having regard to Inverclyde's historic urban fabric, built cultural heritage and natural environment, including its setting on the coast and upland moors. This heritage and environment will inform the protection and enhancement of Inverclyde by having regard to the Scottish Government's placemaking policies, in particular through the application of 'Designing Places' and 'Designing Streets' and through embedding Green Network principles in all new development.

##### **Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside**

Development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or
- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;

- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy ENV6 - Trees and Woodland**

Trees, groups of trees and woodland designated as Tree Preservation Orders (TPOs) will be safeguarded. Where it is considered necessary to protect other trees and woodland areas for amenity reasons, new Tree Preservation Orders will be promoted.

Trees and woodland will be protected and enhanced by having regard to the Scottish Government's Woodland Removal Policy and through:

- (a) promoting the planting of broad leaved and native species, or other species with known biodiversity benefits;
- (b) protecting and promoting the positive management of hedgerows, street trees and any other trees considered to contribute to the amenity of the area;
- (c) protecting and promoting the positive management of ancient and semi-ancient natural woodlands; and
- (d) encouraging the planting of appropriate trees as an integral part of new development.

Woodland creation proposals will be guided by the GCV Forestry and Woodland Framework Strategy (FWS), where priority locations for woodland management and expansion in Inverclyde will be assessed against the following criteria in accordance with the UK Forestry Standard:

- (e) the benefits of woodland creation to the value of the existing habitat;
- (f) contribution to the enhancement of the wider Green Network;
- (g) the safeguarding of nature conservation and archaeological heritage interests;
- (h) safeguarding of water supplies;
- (i) the area's landscape character;
- (j) integration with agricultural interests;
- (k) existing and potential public access and recreational use;
- (l) woodland design and the proposed mix of species; and
- (m) points of access to and operational tracks through woodlands.

### **Policy ENV7 - Biodiversity**

The protection and enhancement of biodiversity will be considered in the determination of planning applications, where appropriate. Planning permission will not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

Inverclyde Council, in conjunction with its partners, will continue to develop habitat and species action plans through the approved Local Biodiversity Action Plan (LBAP) in order to manage and enhance the biodiversity of the Inverclyde area.

### **Policy RES3 - Residential Development Opportunities**

Residential development will be encouraged and supported on the sites and indicative locations included in Schedule 6.1 and indicated on the Proposals Map. An annual audit of the housing land supply will monitor and review, and where necessary, augment the Effective Land Supply, to maintain a minimum five year's supply in accordance with the GCV SDP and SPP guidance.

## **Policy RES7 : Residential Development in the Green Belt and Countryside**

The development of new dwellings in the Green Belt and Countryside, identified on the Proposals Map, will be supported only if the proposal is for either

- (1) a single or small group of dwellings not adjoining the urban area; or
- (2) the conversion of redundant non-residential buildings, that are for the most part intact and capable of conversion for residential use without recourse to substantial demolition and rebuilding.

In addition, all proposals must fall within one of the following categories:

- (a) demolition and replacement of habitable dwellings which cannot otherwise be brought up to acceptable building standards and where the proposed building reflects the scale of the existing building and is sympathetic to the character, pattern of development and appearance of the area; or
- (b) sub-division of an existing dwelling house(s) for the provision of one or more additional units where any new build element is clearly ancillary to the completed building; or
- (c) conversion of redundant, non-residential buildings, where the proposal requires to be supported by proof of the building's redundancy to demonstrate that it no longer meets its original purpose, as well as a structural survey indicating that the building may be utilised for the proposed use substantially in its current form, and that any proposed extensions to existing building(s) or ancillary new build element will need to be proven to be required to make the development financially viable, with details of costs to be submitted; or
- (d) is justified by the operational needs of farms or other businesses or activities which are inherently rural in nature and where the applicant will be required to make a land management or business case to the satisfaction of the Council: or
- (e) is part of an integrated project with significant employment and/or economic benefits which is in accordance with other policies of the Local Development Plan and where the Council is satisfied that the dwelling(s) are essential to ensure the implementation of the whole development and that such considerations are of sufficient weight to merit support.

Further detailed policy relating to this type of development is contained in the Supplementary Guidance on Planning Application Advice Notes

## **Policy HER5 - The Setting of Listed Buildings**

Development will be required to have due regard to the effect it has on the setting of, and principal views to, listed buildings and shall be without detriment to their principal elevations and the main approaches to them. All proposals will be assessed having regard to Historic Scotland's SHEP and 'Managing Change in the Historic Environment' guidance note series.

Proposals for enabling development to support the restoration of listed buildings will be considered favourably where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Note: The Council will adopt further detailed policy on this topic, setting out the criteria that will be used to assess individual proposals, as Supplementary Guidance.

## **Policy HER7 - Development Affecting Archaeological Sites**

Development which will have an adverse effect on Scheduled Monuments or their setting will only be permitted in exceptional circumstances and where it is satisfactory having regard to Historic Scotland's 'Managing Change in the Historic Environment' guidance note series. Development on or adjacent to other archaeological sites, as included on the Council's database of sites of archaeological importance, will normally be permitted only where there is

no adverse impact on the resource. Where development is permitted affecting these sites of archaeological importance, conditions will be attached to planning permissions to allow for excavation and recording before or during development. Any survey reports or works sought by the Council will require to be funded by the developer.

#### **Policy INF4 - Reducing Flood Risk**

Development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. There may be exceptions for infrastructure if a specific location is essential for operational reasons and the development is designed to operate in flood conditions and to have minimal impact on water flow and retention.

All developments at risk of flooding will require to be accompanied by a Flood Risk Assessment (FRA) and should include a freeboard allowance, use water resistant materials where appropriate and include suitable management measures and mitigation for any loss of flood storage capacity.

#### **Policy INF5 - Sustainable Urban Drainage Systems**

Proposed new development should be drained by appropriate Sustainable Urban Drainage Systems (SUDS) designed in accordance with the CIRIA SUDS Manual (C697) and, where the scheme is to be adopted by Scottish Water, the Sewers for Scotland Manual Second Edition. Where the scheme is not to be adopted by Scottish Water, the developer should indicate how the scheme will be maintained in the long term.

Where more than one development drains into the same catchment a co-ordinated approach to SUDS provision should be taken where practicable.

#### **Policy TRA2 - Sustainable Access**

New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to submit a transport assessment and a travel plan, if appropriate. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs, and have regard to the Council's Core Paths Plan, where appropriate. Where development occurs which makes it necessary to close Core Paths and other safeguarded routes, provision of an alternative route will be required.

The Council will also support and seek to complete the Inverclyde Coastal Route with developers required to make appropriate provision when submitting planning applications. National Routes 75 and 753 of the National Cycle Network will also be protected.

**Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development" applies.

**Planning Application Advice Note (PAAN) 8** on "Siting and Design of New Houses in the Countryside" applies.

**Supplementary Guidance on "Enabling Development"** applies.

### **PROPOSED DEVELOPMENT PLAN POLICIES**

#### **Policy 1 - Creating Successful Places**

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.



## **Policy 8 - Managing Flood Risk**

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- be at significant risk of flooding;
- increase the level of flood risk elsewhere; and
- reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

## **Policy 9 - Surface and Waste Water Drainage**

New build development proposals which require surface water to be drained should demonstrate that this will be achieved through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

## **Policy 10 - Promoting Sustainable and Active Travel**

Development proposals, proportionate to their scale and proposed use, are required to:

- provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; the green network; and historic buildings and places.

## **Policy 14 - Green Belt and Countryside**

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

## **Policy 16 - Contaminated Land**

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use.

## **Policy 17 - Land for Housing**

The Council will undertake an annual audit of housing land in order to ensure that it maintains a 5 year effective housing land supply. If additional land is required for housing development, the Council will consider proposals with regard to the policies applicable to the site and:

- a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan; and
- evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.
- a requirement for 25% of houses on new greenfield release sites in the Inverclyde villages to be available for social rent.

## **Policy 18 - New Housing Development**

New housing development will be supported on the sites identified in Schedule 4, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Development Briefs for Housing Sites, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages which are brought forward under Policy 17 to be available for social rent. Supplementary Guidance will be prepared in respect of this requirement.

## **Policy 29 - Listed Buildings**

Proposals for development affecting a listed building, including its setting, are required to protect its special architectural or historical interest. In assessing proposals, due consideration will be given to how the proposals will enable the building to remain in active use.

Demolition of listed buildings will not be supported.

### **Policy 30 - Enabling Development**

Proposals for enabling development to support the restoration of listed buildings will be considered favourably where it can be clearly shown to be the only means of preventing the loss of the listed building and securing its long term future. Any enabling development is required to be the minimum necessary to achieve this aim. The resultant development is required to be designed and sited carefully to preserve or enhance the character and setting of the listed building. Further detail will be set out in the Council's Supplementary Guidance on Enabling Development which will form part of the assessment of any proposals.

### **Policy 31 - Scheduled Monuments and Archaeological Sites**

Development that would potentially have an adverse effect on a Scheduled Monument will only be permitted in exceptional circumstances.

Development affecting archaeological sites should seek to preserve the archaeological resource in situ.

### **Policy 33 - Biodiversity and Geodiversity**

#### Natura 2000 sites

Development proposals that are likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site or if:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, including those of a social or economic nature; or
- compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

#### Sites of Special Scientific Interest

Development affecting Sites of Special Scientific Interest will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or if any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

#### Protected Species

Development affecting Protected Species will only be permitted where:

- it preserves public health or public safety or is for other imperative reasons of overriding public interest including those of a social or economic nature and has beneficial consequences of primary importance for the environment;
- there is no satisfactory alternative; and
- it maintains the species in a favourable conservation status.

#### Local Nature Conservation Sites

Development is required to avoid having a significant adverse impact on Local Nature Conservation Sites. Any adverse impacts are to be minimised. Where adverse impacts are unavoidable, compensatory measures will be required.

#### Local Landscape Area

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special features as set out in the Statement of Importance.

#### Non-designated sites

The siting and design of development should take account of local landscape character. All development should seek to minimise adverse impact on wildlife, especially species and habitats identified in the Local Biodiversity Action Plan. Development should take account of

connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

### **Policy 34 - Trees, Woodland and Forestry**

The Council supports the retention of ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- it can be clearly demonstrated that the development cannot be achieved without removal;
- the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council. This will also cover the management and protection of existing and new trees during and after the construction phase.

Proposals for new forestry/woodland planting will be assessed with regard to the Supplementary Guidance to be prepared in association with the Clydeplan Strategic Development Plan, and the UK Forestry Standard.

**Proposed Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development" applies.

**Proposed Planning Application Advice Note (PAAN) 8** on "Siting and Design of New Houses in the Green Belt and the Countryside" applies.

**Supplementary Guidance on "Enabling Development"** applies.

### **CONSULTATIONS**

**Greenspace Manager** - The ecological survey information provided by the applicant is satisfactory and addresses concerns.

**Kilmacolm Community Council** – The applications have been split by the developer to circumvent the need for public consultation. There is a lack of planning for roads and footpaths to the village centre and it is dangerous to walk along the road with a pram or pushchair in particular due to high hedges restricting drivers' vision. The current road is not adequate for the current level of traffic and there are few passing places. There are also concerns as to whether the sewage plan will be adequate.

**Land Use Consultants** - Although the application is light on information in respect of landscaping proposals there is no reason for planning permission to be refused. Further information in respect of landscaping proposals and tree protection measures should be sought in advance of works commencing on site.

**Head of Environmental and Commercial Services** - The following comments have been provided:

- Visitor parking shall be provided on the basis of 0.25 spaces per dwelling (unallocated).
- The minimal dimensions for a garage are 7 m by 3 m with minimum clear access dimensions of 2.1 m by 1.98 m high. The garage dimensions do not accord therefore each plot shall have the required parking provision within the plot boundaries.
- Driveways shall be paved to a minimum of 2 metres to prevent loose material being spilled onto the road.
- Driveways shall be a minimum of 3m by 5.5m and the gradient shall not exceed 10%.
- The driveways at plots 12 and 30 are close to bends. The applicant shall provide evidence that these driveways have sufficient visibility for the approval of the Roads Service.

- The visitor parking spaces shall be a minimum of 2.5m by 5m.
- All roads shall be a minimum of 5.5m wide.
- The footpaths shall be a minimum of 2m wide.
- The applicant shall provide evidence to the Roads Service that all roads have a gradient of 8% or less. The road does not appear to meet this standard.
- The applicant has demonstrated that a visibility splay of 2.4m by 43m by 1.05m can be provided from the main access onto Blacksholm Road.
- Traffic calming shall be provided within the development to allow the promotion of a 20mph speed limit.
- Road construction consent will be required for all new roads, footways and footpaths.
- It is noted that the accesses to the existing site will be closed to vehicular traffic, therefore a stopping up order is required.
- The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site. A system of lighting shall be kept operational at all times within the existing public adopted areas.
- All surface water during and after development is to be maintained within the site boundary. A field drain should be installed at the bottom of the slopes around the site to prevent any surface water flowing onto the road.
- Confirmation of connection to Scottish Water Network should be submitted for approval.
- The drainage strategy is acceptable subject to conditions addressing the containment of surface water within the site; surface water discharge being limited to that of greenfield run-off; a detailed drainage drawing being submitted for approval; detailed drainage design should be submitted for approval including the outfall to the river; a maintenance regime for the surface water should be submitted for approval.
- Confirmation of SEPA acceptance and proof of CAR licence should be submitted for approval.
- A road bond will be required if building works are to be undertaken before roads are complete.

**Head of Safer and Inclusive Communities** - No objection, subject to conditions in respect of Japanese Knotweed, contaminated land, external lighting, full details of the sewerage treatment facility, minimisation of noise disruption from the site and sound insulation of the buildings. Advisory notes are requested in respect of site drainage, vermin and gull control, the Construction (Design & Management) Regulations 2015 and surface water control.

**Scottish Water** - No objection, with capacity at the nearest water treatment works available. There are no current foul sewerage connections available and private provision is suggested. A series of advisory notes are also suggested.

**Scottish Environment Protection Agency West** - No objections.

**Scottish Power** - No objection, although there are cables within the area. Contact from the developer is encouraged.

**Scottish Gas** – There is no plant in the vicinity.

**Property Assets Manager** - the valuation figures for the properties appear reasonable considering the location and the size of the units and the proposed level of new build houses should generate sufficient capital for the conversion of the listed buildings to occur.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 16th March 2018 as development affecting the setting of listed buildings.

## **SITE NOTICES**

A site notice was posted on 16th March 2018 for affecting the setting of listed buildings.

## **PUBLIC PARTICIPATION**

Eleven representations and a petition with 66 signatories have been received in respect of the application. Eight of the individual representations object to the application and 3 are in support. The petitioners object to the application. The points of objection may be summarised as follows:

### Traffic/pedestrian safety issues

- The road infrastructure in the vicinity is barely sufficient for current traffic before more is added, especially regarding blind bends, lack of a pavement and regular farm traffic. Particular concern is expressed about the new entrance point, the junction of Blacksholm Road with the B788. The lack of public transport is also noted.
- More traffic on Blacksholm Road will deter pedestrian use.
- A traffic risk assessment should be carried out (there are health and safety concerns over vehicle manoeuvres).
- An access directly from the B788 would be a better solution.
- Construction vehicles will block Blacksholm Road.
- The bridges between the site and Kilmacolm may not take the weight of some vehicles.
- Poor road markings at the junction of Blacksholm Road and the B788 constitute a hazard.

### Infrastructure concerns

- There are existing flooding problems on Blacksholm Road, caused by poor drainage, which the proposal will add to.
- There are concerns over sewerage arrangements.
- There may be loss of water supply to adjacent property.
- There are concerns over other utility capacity, such as gas, water, telecoms and Scottish Power (the latter due to potential increase in electric vehicle use).

### Procedural issues

- The proposals should have been considered as one application.
- The renovation should take place before the new build.
- Proper public consultation should be undertaken.

### Miscellaneous issues

- Wildlife concerns, especially bats and owls. There is also concern about the impact on neighbouring horses.
- The current lack of full recycling service needs to be addressed.
- The remote location will result in more shopping delivery vehicles and other such vehicles.
- New residents who will not be “country minded” may not drive in an appropriate manner to the area and other road users.
- There are concerns over boundary treatment (a timber fence to stop desire lines being formed is requested).

The support for the proposal includes two representations from Kilmacolm Civic Trust in which it supports bringing the listed buildings and grounds back into use. This will regenerate the wider site and bring trade to Kilmacolm and younger membership to clubs and organisations. It also supports the proposal as helping to meet a need for housing in the area. It expresses reservations, however, that the existing remote footpath is considered to be in a poor state and requests a condition be used requiring the developer to upgrade the quality of the path. Establishing other pedestrian linkages is considered to be too dangerous. It also request that an alternative access from the B788 should be investigated.

The other supporting representation refers to the proposed development being the only viable solution to address the drainage issues. It is noted that Blacksholm Road has been much

improved making safer access to the site more feasible and that that the tree survey suggests key trees and a degree of rural environment will be maintained.

## **ASSESSMENT**

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Accordingly the application must be assessed against the Clydeplan Strategic Development Plan and the adopted and proposed Inverclyde Local Development Plans, the adopted and proposed Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" and PAAN8 on "Siting and Design of New Houses in the Countryside", the adopted and proposed Supplementary Guidance on "Enabling Development", Historic Environment Scotland's Policy Statement (which replaces the SHEP) and the "Managing Change in the Historic Environment guidance note on "Setting", the consultee replies, the representations, the applicant's supporting information and the planning history of the site.

The relevant Development Plan policies consider the implications of development in the Green Belt, the setting of the listed buildings, placemaking, residential development, forestry and woodland, biodiversity, flood risk, drainage, sustainable transport, land contamination and archaeology. The key determining issues are whether or not the proposal can be justified as enabling development in support of the retention and conversion of the Balrossie listed buildings and, thereafter, if the proposed layout is acceptable in all aspects.

The application site is located within the Green Belt under Policy ENV2 of the adopted Inverclyde Local Development Plan and Policy 14 of the proposed Inverclyde Local Development Plan. Both plans respond to Policy 14 of the Clydeplan Strategic Development Plan in identifying the Green Belt boundary.

Part of the site, however is also with an area identified as a residential development opportunity in Schedule 6.1 to Policy RES3 of the adopted Local Development Plan, similar to Schedule 4 to Policy 18 of the proposed Local Development Plan. The principle of building within these designations is supported. Further consideration, however, requires to be given to the implications for the Clydeplan Strategic Development Plan for those proposed dwellings not covered by the above schedules.

Chapter 10 of the Clydeplan Strategic Development Plan introduces Diagram 10: Assessment of Development Proposals. The purpose is to aid a consistent application and implementation of the Strategic Development Plan and should be used when assessing strategic scale development proposals. The Diagram is used to determine whether strategic proposals comply with the Strategic Development Plan. While part of the grounds at Balrossie is identified as a Residential Development Opportunity in the adopted Local Development Plan, not all of the area of ground which is the subject of this application is. Consequentially, as the proposal is for more than 10 new residential units outwith a designated housing site in the adopted Local Development Plan it is a strategic scale development. On this basis, Diagram 10 requires to be consulted and the proposal has to be assessed against Policy 8 of the Strategic Development Plan (although Policy 9 is also referred to in the Diagram it is considered that this site does not require to make an affordable housing provision as it is not a quota site within the adopted Local Development Plan. Policy 8 relates to the housing land requirement and specifies the demand on local authorities to ensure the provision of a supply of land for housing. As the application site is not identified in the relevant land supply schedule for the adopted Local Development Plan it does not, in theory, support the Vision, Spatial Development Strategy and Placemaking Policy of the Strategic Development Plan. As an apparent departure from the Strategic Development Plan, it needs to be considered if it is an acceptable departure having regard to various criteria set out in the Diagram.

I find two criteria to support the development; enabling development in support of cultural heritage in the form of the retained listed buildings, and a specific locational need to be adjacent to and therefore directly associated with the relevant buildings. On this basis I consider that, in principle, the proposal is an acceptable departure from the Strategic Development Plan. More

detailed consideration is required, however, against the relevant policies of the adopted and proposed Local Development Plans and their associated relevant supplementary guidance.

As noted, the application site is within the Green Belt, designated under adopted Local Development Plan Policy ENV2. This Policy indicates that development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances. The equivalent Policy 14 in the proposed Local Development Plan indicates that development in the Green Belt will only be permitted if it is appropriately designed, located, and landscaped, and is associated with one of a number of criteria, the most relevant of which is d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained. The impact of the conversion proposals are assessed in the reports on applications 17/0351/IC and 17/0038/LB. It suffices to say here that my conclusion is favourable in these reports and, therefore, I find there to be exceptional circumstances which apply in this instance, connected with the re-use of redundant buildings whose retention is desirable for their historic interest and architectural character. The proposals can therefore be justified under Policies ENV2 and 14.



The proposed development forms an essential part of the enabling works intended to support the re-use of the historic buildings. Such development falls to be assessed under Policy HER5 of the adopted Local Development Plan and Policies 29 and 30 of the proposed Local Development Plan, which indicate enabling development will be considered favourably if it appears to be the only means of preventing the loss of the listed buildings and the securing their long term future. The siting of the enabling development is also to sensitively address the setting of the listed buildings, having regard to the effect on the setting of, and principal views to the listed buildings without detriment to the principal (front) elevations and the main approaches.

The applicant has submitted information showing that the proposed enabling new build development is the only means of preventing the loss of the listed buildings. Their condition has continued to deteriorate in recent years to the extent that it is not financially feasible to simply restore and convert the buildings themselves. This was accepted to be the case with approval of the previous application for new build in the vicinity of Balrossie and is more so the case now with the further deterioration that has occurred. The most recent planning permission for the whole Balrossie development, new build and refurbishment, came to a total of 40 dwellings. This figure is reflected in the relevant schedules to Policy RES3 of the adopted Local



Development Plan and Policy 18 of the proposed Local Development Plan. The applicant now seeks a total of 64 dwellings, which includes 49 new build houses (the balance of 27 houses is assessed in the report on planning application 18/0076/IC). It is explained that the figures reflect what research indicates is development capable of being successfully marketed, with the originally approved dwellings reduced in sized but increased in number to be more reflective of marketable family sized houses. The financial case has been assessed by the Property Assets Manager and has been found to be acceptable. The figures indicate the level of new build housing as the minimum necessary to achieve this aim and the developer's phasing plan, based on the cash flow needed to be generated to convert and restore the listed buildings has not been questioned. With regard to the siting of the new build in relation to the listed buildings, I am satisfied that it does not adversely impact upon the principal elevations or the main approaches to them, which in this case are all to the front. I therefore find the proposal also accords with Historic Environment Scotland's Policy Statement and the "Managing Change in the Historic Environment guidance note on "Setting".

I am also satisfied that the proposals are supported by Policy HER5 of the adopted Local Development Plan and Policies 29 and 30 of the proposed Local Development Plan and the associated supplementary guidance. While this creates a tension with Policy RES7 of the adopted Local Development Plan, which does not specifically address enabling development circumstances, in light of the foregoing I consider Policy HER5 takes precedence.

It now needs to be considered if the detailed layout is acceptable in all other policy terms.

The application plans show a range of detached and semi-detached properties, together with the provision of roads and footways and small areas of open space. The proposal cannot be considered in isolation, however, not only because of the enabling aspect of the proposals but also because of the substantial open space which surrounds the site. The proposals are considered to satisfy adopted and proposed PAAN3 in respect of minimum garden ground dimensions, notably exceeding them in most instances. The design of the proposed houses respects the guidance in adopted and proposed PAAN8 in respect of the siting and design of new houses in the Green Belt.

It also requires to be considered however, if the proposals help create a sense of place and, in this respect, Policy 1 of the Strategic Development Plan, Policy SDS3 of the Adopted Local Development Plan and Policy 1 of the proposed Local Development Plan are relevant. These policies all set out factors which contribute to successful places. Having considered the relevant key factors of being distinctive, adaptable, resource efficient, easy to move around, safe and pleasant and welcoming I consider the proposal accords with these aims. Most notable are the common design themes between the dwellings, which respect the main listed buildings without seeking to pastiche them, and the intention of the applicant to create a unified landscaping solution to provide a coherent development leading to a sense of place. I also note the proposed network of paths linking the development to the wider area. Their provision may be controlled by condition.

As much of the site is previously undeveloped land and will involve some tree removal, Policies 13 of the Clydeplan Strategic Development Plan, ENV6 of the adopted Local Development Plan, and 34 of the proposed Local Development Plan apply. These policies address trees and woodland, emphasising their protection and retention but seeking re-planting where this is not possible. Most mature trees are concentrated on the periphery of the wider development site, although most tree removal will occur as a result of the current application. This is due to the position of the proposed houses but is also required as a matter of safety as the trees are largely mature specimens which would be within falling distance of the proposed houses. I note that the application has been supported by an arboricultural report by an appropriately qualified person and that many of the trees to be removed come into the lowest category under British Standard classification, meaning that they are in such a condition that they cannot realistically be retained as living trees in the context of the current land for longer than 10 years. Whilst the loss of any mature trees is regrettable and will make some of the new build development visible from the B788 to the south, I consider, on balance, that the public benefits of the proposal do outweigh the loss of some trees. I further note that the majority of the better conditioned trees to the northern part of the site are to be retained and that the applicant is committed to a

replanting programme where trees are to be removed. This matter can be controlled by condition. I am therefore satisfied that the abovementioned Policies 13, 34 and ENV6 can be successfully addressed with the re-establishment of some arboricultural provision in the longer term.

Development of the site and the proposed tree removal also has implications for wildlife and biodiversity. Policies ENV7 of the adopted Local Development Plan and 33 of the proposed Local Development Plan address biodiversity issues. They indicate that planning permission will not be granted for development that is likely to have an adverse effect on protected species. The application site is not a designated site but, nevertheless, the applicant has commissioned a full range of surveys to address wildlife concerns, including protected species. These have been considered by Scottish Natural Heritage, at an earlier stage, and by the Council's Greenspace Manager. The latter is satisfied that the work carried out has been to the appropriate professional standards and supports the conclusion that there are no significant adverse implications for biodiversity as a result of the proposal. Further consultation with SNH was not required as a result of his conclusions and their comments relate to the earlier incomplete survey picture. The requirements of the abovementioned Policies ENV7 and 33 have therefore been addressed. The recommendations of the reports can be addressed by condition.



Matters relating to drainage and sewerage arrangements have also been considered in detail by the applicant. Policies INF4 and INF5 of the adopted Local Development Plan and 8 and 9 of the proposed Local Development Plan address the management and reduction of flooding risk and the use of SUDS to help do so. Both the Scottish Environment Protection Agency and the Head of Environmental and Commercial Services have no objection to the proposed drainage solutions subject to the use of appropriate conditions. As the application site is in a remote location a foul sewer connection is not possible and the applicant has chosen to introduce a new package waste treatment plant close to the site entrance to connect into the existing site drainage outfall. The Head of Safer and Inclusive Communities has been considering this waste solution and has concluded that the proposed arrangements and method of disposal are acceptable but that some matters should be reserved by condition. It should be noted that the existing system which serves the properties at Balrossie Drive is no longer fully functional following the cutting off of the electricity supply and the proposed new facility will also be of positive benefit to the existing adjacent residents. It will be a civil matter for the applicant to ensure that this and other utility connections to the existing adjacent houses are not disturbed

during construction works. Overall, I am therefore satisfied that the proposal addresses the terms of Policies INF4 and INF5 of the adopted Local Development Plan and 8 and 9 of the proposed Local Development Plan.

There is the potential for contamination on the site from Japanese Knotweed and soil contaminants from previous uses. The Head of Safer and Inclusive Communities is satisfied, however, that these matters may be addressed by conditions on a grant of planning permission. There are other matters raised in the consultation response but as these relate to controls under other legislation they may be more properly addressed by advisory notes. I am therefore satisfied that the concerns of Policy 16 of the proposed Local Development Plan, which considers issues around potential contamination, may be addressed by conditions.

Policies TRA2 of the adopted Local Development Plan and 10 of the proposed Local Development Plan both address the issue of sustainable travel. The aim is to direct major trip-generating development to locations accessible by walking, cycling and public transport. Transport assessments and travel plans should accompany development proposals if appropriate. The proposed development does not require to be the subject of either a transport assessment or a travel plan. It is noted that the application site is in a location remote from the urban area and that there are a lack of footways on Blacksholm Road and the B788 for pedestrians to use. It is also noted that whilst there is a remote footpath which connects to Kilmacolm it is in poor condition. It is also the case that the land associated with the footpath is not in the applicant's ownership and, therefore, cannot be the subject of a condition requiring its upgrading. It is accepted that, being in a remote location it is likely that future occupants will be largely dependent on private transport. I note that the Head of Environmental and Commercial Services does not raise any concerns with regard to safety implications of the likely increased level of vehicular traffic including construction and other commercial traffic, nor are concerns raised over the ability of the road infrastructure in the vicinity to accommodate the proposed development. I note some requests for access to be taken from the B788 as an alternative arrangement but the applicant does not control all of the land which would be required for a visibility splay to be formed. Furthermore, the application has to be considered as submitted. Whilst the application site is therefore not in the most accessible location with regard to sustainable travel, I give greater weight to the cultural heritage benefits offered by the proposal in the retention of the listed buildings.

The final Policies to be considered are HER7 of the adopted Local Development Plan and 31 of the proposed Local Development Plan. The policies address the protection of antiquity encouraging avoidance of adverse impacts. This issue was recognised through consultation on the previous application on the site. It was concluded that a watching brief condition would suffice. There has been no development in the interim period and it is considered that the same approach should be taken to address this matter.

Drawing together my assessment of the proposal against the relevant policies of the Development Plan and the proposed Local Development Plan, together with the associated supplementary guidance and that of Historic Environment, I conclude that the proposal can be justified as enabling development in support of the retention and conversion of the Balrossie listed buildings. I also conclude that the proposal is acceptable in its own right with respect to design, layout and all relevant matters associated with it. It remains to be considered, however, if there are any other material considerations which suggest that planning permission should not be granted for this development which has been considered acceptable when assessed against the Development Plan. In this respect the remaining consultation replies and points of objection not yet addressed require consideration.

I note the consultation reply from the Council's landscape consultant, LUC and, in particular, its consideration that planning permission should not be refused but that more detail is required on the proposed landscaping scheme and tree protection measures. I propose to deal with these matters by condition. With respect to those elements of the consultation reply from the Head of Environmental and Commercial Services not yet addressed, all the required layout dimensions, including road gradients have been met by the applicant through the submission of revised plans during the processing of the application. The visibility splay requirement may be met by condition. Issues relating to traffic calming, road construction consent, street lighting and roads

bonds are matters for other legislation and may be addressed through advisory notes on a grant of planning permission. Advisory notes will also be required to address the replies from Scottish Water and Scottish Power.

One objector raised concern over utility capacities. It will be for the applicant to arrange for connections where possible and address the utility company requirements for making any connections. It is for the applicant to decide whether to make a gas main connection to the pipeline to the south of the site or to provide a remote supply based within the site. A planning condition can be used to address the latter eventuality.

I note concerns over how the applicant has approached submission of the applications and, in particular, that there should only have been one application. Whilst the applicant could have submitted one planning application (a separate listed building application would always have been required), it was decided not to. A major application comprises 50 or more dwellings or a site of 2 hectares or more in area. The Regulations do not, however, prevent an applicant from submitting smaller contiguous applications thus negating the need to carry out the pre-application consultation envisaged by the Regulations. In terms of phasing, the applicant has set out the intended phasing which the Property Assets Manager has found to be justified and which may be controlled by condition. Whilst making the listed buildings wind and watertight will be early in the process it is possible that the developer could complete up to 22 houses and not, thereafter, complete the conversion works to the listed buildings. In view of the conclusion reached by the Property Assets Manager on the costings programme, however, this is required to present the circumstances under which the listed buildings may be saved. There are no known alternative proposals for saving the buildings and their future is becoming ever more precarious. The provision of cleansing and recycling services is a matter to be addressed by the Head of Safer and Inclusive Communities under the relevant legislation. Boundary treatments can be made the subject of a condition. Finally, I note concerns over the level of care new residents will take on the roads but this is not a relevant material consideration.

I am therefore satisfied that there are no material considerations which suggest that planning permission should not be granted. I do consider, however, that a range of conditions are required to address many of the issues raised above.

## **RECOMMENDATION**

That the application be granted, subject to the following conditions:

1. That no development shall commence on site until a phasing plan linking the commencement of construction and the occupation of all new houses approved under this permission and that of planning permission 18/0076/IC to the restoration and completion of all works to the listed buildings as detailed in listed building consent 17/0038/LB, and including the front boundary gates and railings, has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt development shall not commence on construction of the approved new dwellinghouses until the listed buildings have been secured and made wind and watertight; the 23rd dwellinghouse hereby permitted or, cumulatively, permitted by planning permission 18/0076/IC shall not be occupied until work has commenced on restoration and conversion of the listed buildings ; and that the 6th last dwellinghouse hereby permitted or, cumulatively, permitted by planning permission 18/0076/IC shall not be occupied until work has been completed on the listed buildings as detailed in listed building consent 17/0038/LB.
2. That prior to their use, samples of all facing materials to be used in the construction of the dwellings hereby permitted shall be submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter using the approved materials unless a variation is agreed in writing with the Planning Authority.
3. That prior to their use samples of all hard landscaping materials shall be submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless any alternative is agreed in writing with the Planning Authority.

4. That prior to the commencement of development full details of all soft landscaping within the site, including a phasing plan and details of management and maintenance arrangements, shall be submitted to and approved in writing by the Planning Authority.
5. That the landscaping scheme approved in terms of condition 4 above shall be implemented in full in accordance with the agreed phasing plan. Any of the planting which is damaged, is removed, becomes diseased or dies within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species.
6. That prior to the commencement of development, full details of the equipped play area, including details of management and maintenance arrangements, shall be submitted to and approved in writing by the Planning Authority including a phasing plan for provision of the play area. The play area shall subsequently be provided in accordance with the approved phasing plan.
7. That a visibility splay of 2.4 metres by 43 metres by 1.05 metres shall be provided at the main access onto Blacksholm Road prior to the commencement of development and shall be maintained at all times thereafter.
8. That for the avoidance of doubt, road gradients shall not exceed 8% and driveway gradients shall not exceed 10%.
9. That no dwelling shall be occupied until the footway and road serving the dwelling is completed to sealed base course level.
10. That prior to the last of the dwellings approved under this permission or that of planning permission 18/0076/IC being occupied, all footways and roads serving the dwellings shall be completed to final wearing course level.
11. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas.
12. That all surface water originating within the site shall be intercepted within the site and the discharge shall be limited to that of greenfield run-off.
13. That prior to the commencement of development a detailed drainage design drawing shall be submitted to and approved in writing by the Planning Authority and this shall include details of the outfall to the river.
14. That prior to the commencement of development a maintenance regime for the surface water shall be submitted to and approved in writing by the Planning Authority.
15. That prior to the commencement of development, confirmation of connection to the Scottish Water Network shall be submitted for approval.
16. That prior to the commencement of development confirmation of SEPA's acceptance and proof of CAR licence shall be submitted for approval.
17. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.
18. That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for

implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.

19. That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.
20. That the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
21. That prior to the commencement of construction, a full and detailed description of the sewage treatment facility which will service the proposed development of the former Balrossie home shall be submitted to and approved by the Planning Authority. The description must include a calculation of the estimated throughput, the type of treatment being undertaken, details of any discharge, its location and rate and a scale plan of the facility.
22. That none of the dwellings hereby permitted shall be occupied until the sewage treatment facility approved in terms of condition 21 above becomes operational.
23. That in the event the gas supply to the development site comprises on-site storage facilities, full details of all proposed plant shall be submitted to and approved in writing by the Planning Authority. The approval shall pre-date the start of construction work on the site.
24. That details of the location of the approved boundary treatments shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development. For the avoidance of doubt the fence/wall combination shall be used on the public realm boundaries of approved plots 1, 2, 7, 10, 35, 36, 39, 46 and 49
25. That the approved fences and fence/wall combinations shall be erected for each plot prior to the occupation of the relevant plot.
26. That existing trees both within the development site and in the vicinity of the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012.
27. That no tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive, and all such works will be preceded by a check for nesting birds in accordance with the Nature Conservation (Scotland) Act 2014 and the protection of wildlife. No development shall take place until details of protection measures have been submitted to and approved in writing by the Planning Authority.
28. That the recommendations of the Tree Survey & Arboricultural Report by Langton Tree Specialists, dated October 2017, shall be implemented in full.

29. That no development shall take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and agreed in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources is undertaken to the satisfaction of the Planning Authority.
30. That the remote footpaths shown on drawing linking the development to Blacksholm Road shall be provided prior to the last of the dwellinghouses hereby permitted being occupied. Full details of the means of connection and surfacing of the paths shall be submitted to and approved in writing by the Planning Authority prior to their provision.
31. That the recommendations contained within the Stone's Wildlife Management "Ecological Walk Over to re-survey", "Badger Survey" and "Bat Hibernation Survey" documents submitted to the Planning Authority in May 2018 shall be implemented in full.
32. That the applicant shall ensure that no works within the application site interrupt the service provisions to the adjacent existing houses on Balrossie Drive at any point during construction operations.

#### Reasons

1. To ensure that the provision of enabling development is linked to the restoration of the listed buildings.
2. In the interests of visual amenity.
3. To ensure the suitability of these materials.
4. To ensure the provision of an adequate landscaping scheme in the interests of visual amenity.
5. To ensure retention of the approved landscaping scheme.
6. To ensure the provision of adequate play facilities.
7. In the interests of vehicular and pedestrian safety.
8. To ensure the usability of the roads and driveways.
9. To ensure the provision of adequate traffic and pedestrian facilities.
10. To ensure the provision of adequate traffic and pedestrian facilities.
11. To control runoff from the site to reduce the risk of flooding.
12. To control runoff from the site to reduce the risk of flooding.
13. To control runoff from the site to reduce the risk of flooding.
14. To ensure that the site remains clear of flooding in the longer term.
15. To ensure adequate service connections can be achieved.
16. To ensure an acceptable water environment is achieved as a consequence of the development.
17. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.

18. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
19. To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.
20. To ensure that all contamination issues are recorded and dealt with appropriately.
21. To ensure the provision of adequate sewerage arrangements.
22. To ensure the provision of adequate sewerage arrangements.
23. In the interests of visual amenity and public safety.
24. In the interests of visual amenity.
25. In the interest of privacy.
26. To ensure preservations of the trees not to be removed.
27. In the interests of wildlife protection.
28. In the interests of a sustainable arboricultural environment.
29. In the interests of antiquity.
30. To ensure the provision of adequate footpath connections.
31. In the interests of wildlife protection.
32. In the interests of amenity of adjacent residents.

Stuart Jamieson  
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Ashman on 01475 712416.