

**LOCAL REVIEW BODY**

**2 FEBRUARY 2022**

**PLANNING APPLICATION FOR REVIEW**

**MRS PATRICIA CRIGHTON  
PROPOSED NEW DETACHED DWELLINGHOUSE (IN PRINCIPLE)  
VALLEY VIEW FARM, DOUGLIEHILL ROAD, PORT GLASGOW (21/0211/IC)**

**Contents**

- 1. Planning Application dated 12 July 2021 together with Location Plan and Proposed Indicative Layout**
- 2. Planning Application Design Statement**
- 3. Appointed Officer's Report of Handling dated 6 September 2021**
- 4. Inverclyde Local Development Plan 2019 Policy Extracts**

**To view the Inverclyde Local Development Plan see:**

**<https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/ldp>**

- 5. Inverclyde Local Development Plan 2019 Map Extracts**
- 6. Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notes Policy Extracts**
- 7. Scottish Planning Policy Extract**
- 8. Representation in relation to Planning Application**
- 9. Decision Notice dated 4 October 2021 issued by Head of Regeneration & Planning**
- 10. Notice of Review Form dated 12 November 2021 with Supporting Statement from Nicholson McShane Architects**
- 11. Suggested Conditions and Advisory Notes should Planning Permission be Granted on Review**

**Note: Inverclyde Proposed Local Development Plan 2021 has been attached to the rear of the agenda papers as supplementary content.**

**1. PLANNING APPLICATION DATED 12 JULY 2021  
TOGETHER WITH LOCATION PLAN AND  
PROPOSED INDICATIVE LAYOUT**

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE            100445263-001

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

## Type of Application

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

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

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

Proposed new detached dwellinghouse (in principle)

Is this a temporary permission? \*  Yes  No

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

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

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

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

## Agent Details

Please enter Agent details

Company/Organisation:	Nicholson McShane Architects		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	Custom House
Last Name: *	Nicholson	Building Number:	1-01
Telephone Number: *	01475 325025	Address 1 (Street): *	Custom House Place
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Greenock
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	PA15 1EQ
Email Address: *	consents@nicholsonmcshane.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	Valley View Farm
First Name: *	Patricia	Building Number:	<input type="text"/>
Last Name: *	Crighton	Address 1 (Street): *	Dougliehill Road
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Port Glasgow
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	PA14 5XF
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

Inverclyde Council

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

Address 1:

VALLEY VIEW FARM

Address 2:

DOUGLIEHILL ROAD

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PORT GLASGOW

Post Code:

PA14 5XF

Please identify/describe the location of the site or sites

Northing

673864

Easting

231725

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

6347.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

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

Curtilage of detached dwellinghouse

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

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

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

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

## Water Supply and Drainage Arrangements

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

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

Note:-

Please include details of SUDS arrangements on your plans

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

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

Yes

No, using a private water supply

No connection required

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

## Assessment of Flood Risk

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

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

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

## Trees

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

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

## All Types of Non Housing Development – Proposed New Floorspace

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

## Schedule 3 Development

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

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

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

## Planning Service Employee/Elected Member Interest

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

## Certificates and Notices

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

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

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

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

## Certificate Required

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

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Douglas Nicholson

On behalf of: Mrs Patricia Crighton

Date: 12/07/2021

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

Visualisations



Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

Yes  N/A

A Design Statement or Design and Access Statement. \*

Yes  N/A

A Flood Risk Assessment. \*

Yes  N/A

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

Yes  N/A

Drainage/SUDS layout. \*

Yes  N/A

A Transport Assessment or Travel Plan

Yes  N/A

Contaminated Land Assessment. \*

Yes  N/A

Habitat Survey. \*

Yes  N/A

A Processing Agreement. \*

Yes  N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

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

Declaration Name: Mr Douglas Nicholson

Declaration Date: 12/07/2021

## Payment Details

Cheque: Nicholson McShane Architects, 0000

Created: 12/07/2021 17:34



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REVISION	DESCRIPTION	DATE
-	-	-
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CLIENT
Mr and Mrs Crighton

PROJECT TITLE
Proposed new dwellinghouse

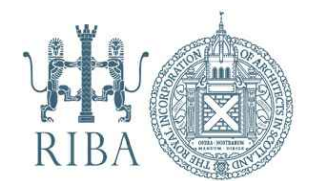
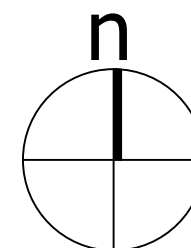
PROJECT ADDRESS
Valley View Farm, Dougliehill Road, Port Glasgow

DRAWING TITLE
Location Plan

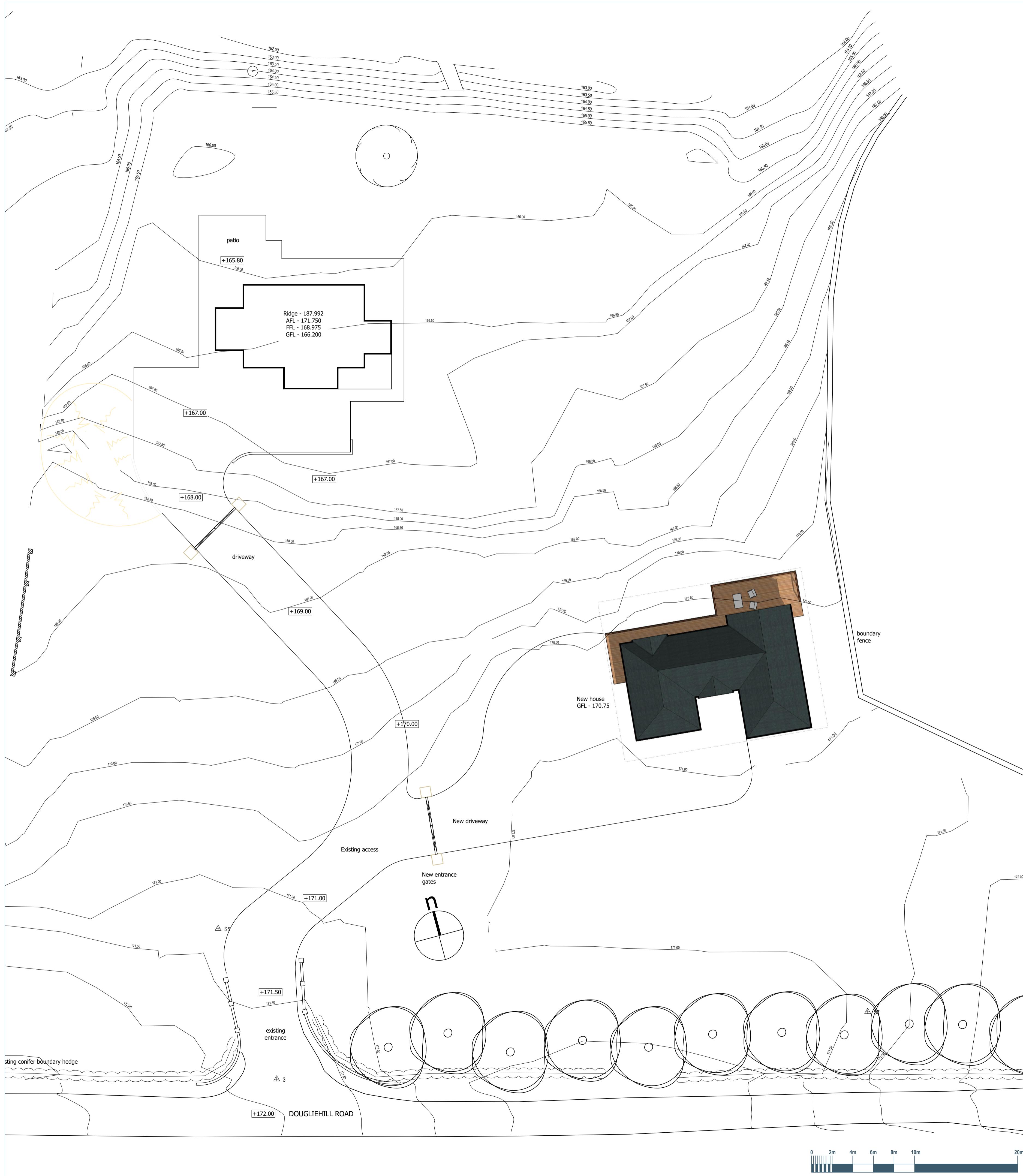
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PLANNING	A3

DRAWING NUMBER	REVISION
21036_LP	-

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CLIENT  
Mr and Mrs Crighton

PROJECT TITLE  
Proposed new build dwellinghouse

PROJECT ADDRESS  
Valley View Farm, Dougliehill Road, Port Glasgow

DRAWING TITLE  
Proposed indicative layout and visuals

DRAWING STATUS  
PLANNING

PAPER SIZE  
A1

DRAWING NUMBER  
21036\_D.001

REVISION  
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SCALE  
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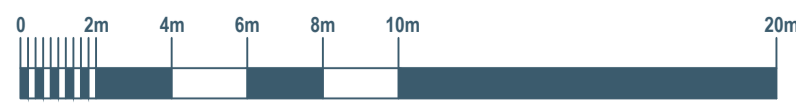
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June 2021

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## **2. PLANNING APPLICATION DESIGN STATEMENT**



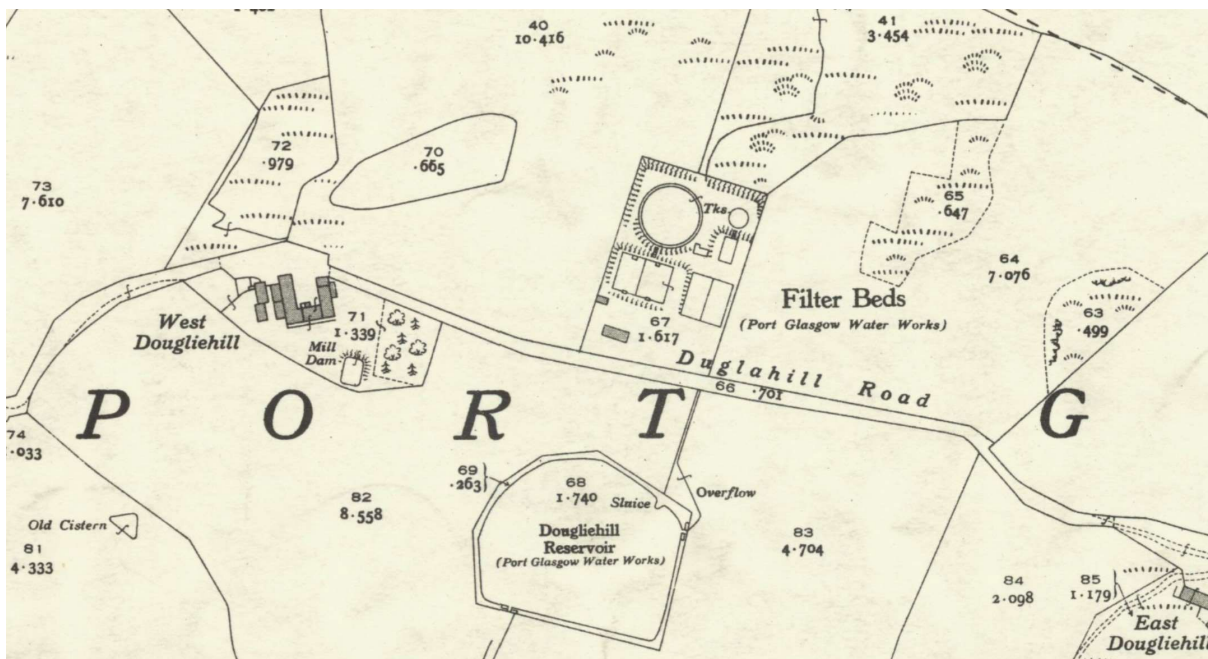
**Proposed New Dwellinghouse adjacent to Valley View Farm, Dougliehill Road, Port Glasgow,  
PA14 5XF**

**Planning Application Design Statement**

**Introduction and Description**

The applicants wish to construct a new single storey dwelling on their ground at Valley View Farm, Dougliehill Road, Port Glasgow.

Historically, the site formed part of a water treatment works associated with the nearby Dougliehill Reservoir. The 1896 Ordnance Survey plan records part of the site being occupied by filter beds, with a much larger installation including a water storage tank occupying the site. The site is essentially brownfield.



1912 Ordnance Survey plan

More recently, the ground had an agricultural use and housed 1200 hens for egg production. This use ceased in 2012 and the ground has been unused since this date.

The application site is bounded to the south by Dougliehill Road, a single track farm road which has in recent years been resurfaced and upgraded with passing places and with additional drainage to prevent flooding. To the east lies ground housing a large water storage tank, i.e. still

associated with the original water storage and treatment function of the area. To the north lies open moorland with a public footpath running from Dougliehill to Birkmyre and to the west a dwellinghouse and dog kennel business which formed part of the original water works.

### **Planning History and Designation**

Planning Permission (IC/03/446) was obtained in 2003 for the change of use of the ground from a water treatment works to a free range egg production facility with an associated new dwellinghouse. This consent was subsequently amended in 2008 (IC/07/272); this consent altered the siting and design of the proposed dwellinghouse.

The above consents were granted on the basis of a Section 75 agreement between the applicants and the local authority tying the dwellinghouse to the free range egg production use. This occupancy restriction was later discharged (11/0001/MP granted at appeal) as the free range egg production became unviable.

The site is located within the green belt as designated in the 2019 adopted Inverclyde Local Development Plan.



*Aerial view during house construction*

### **Proposal**

The applicants' needs have changed since the construction of their original dwellinghouse and they require a smaller single storey dwelling for ease of access. They are very keen to remain on the site as they are settled in this location and we consider that a new single detached dwelling could easily be accommodated on the site without a loss of public amenity or a significant negative effect on the green belt.



## Planning Matters

### LDP and Clydeplan

The applicant notes the recent Court of Session challenge to Inverclyde Local Development Plan and the fact that the local authority has no up-to-date adopted local plan policies for housing. Clydeplan's Strategic Development Plan confirms that, where a shortfall in the 5 year supply of housing land exists, the local authority shall “take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for developments, on greenfield or brownfield sites...” Consent for this proposal will make a minor contribution to the supply of land for housing in Inverclyde, and can be delivered within a 3 year period.

### Green Belt

Although the site is located within the designated green belt, it occupies the urban fringe and should be considered **exceptional in character** for several reasons as outlined below:

- The application site is brownfield and has been continually developed for industrial and latterly residential use since the late 1800s. The use of part of the site for an additional dwellinghouse will therefore result in no loss to the landscape character of the green belt.
- The application site has no public utility value and has been continuously inaccessible to members of the public for over 100 years. Views into the site are restricted and the proposed dwellinghouse will be minimally visible from the road.
- The application site is surrounded by private ground. It is sandwiched between the former filter station house to the west and a working part of the water treatment plant to the east. Thus the location is unusual in green belt terms for its high level of development. This again will mitigate the visual effects of the new dwellinghouse.
- Planning consent has recently been granted for the conversion of the former farmhouse at West Dougliehill Farm, and this development will effectively create a small “hamlet” of four existing dwellings on Dougliehill Road.

In addition, the applicants note that there has been a recent decision granting consent for the erection of a residential development on ground west of Quarry Drive, Kilmacolm and that this

ground is designated green belt. The precedent of the loss of green belt ground for housing appears to have been accepted as a consequence of this decision.



*View west along Dougliehill Road*

### **Application in Principle**

Our application is for an “in principle” consent in exceptional circumstances, with further details of the proposed dwellinghouse to be agreed at a further date. Nonetheless, an indicative proposal is included for information purposes.

When assessed against the factors contributing to successful places (Policy 1), it is intended that the development will contribute:

- A **Distinctive**, high quality detached dwelling with very little visibility from the public realm.
- An **Adaptable** building, with high levels of accessibility and interior flexibility to respond to the needs of the applicants and new living and working patterns.
- A **Resource Efficient** building with high levels of insulation and use of renewables (in line with the requirements of Policy 6) and built using a high proportion of sustainable materials.
- A dwelling that is **Easy to Move Around**, and is connected to local transport networks by a recently upgraded public road.
- A **Safe and Pleasant** house fully in keeping with its immediate and wider neighbours and avoiding conflict or nuisance to neighbours.



- A **Welcoming** house with a sense of arrival.

### **Response to PAAN8**

The proposed siting and design of the new house will take account of the requirements of Planning Application Advice Note 8 (Siting and Design of Houses in the Countryside).

With regard to siting, the following will be achieved:

- The dwelling will be located in a position that takes full advantage of the spectacular views from the site whilst not being visible from lower Port Glasgow due to the nature of the slope of the site.
- The new dwelling will help tidy an area of ground which is visually unattractive and which still bears the remnants of the original utilities infrastructure use of the site. The new dwellinghouse will be visually shielded from Dougliehill Road by a row of trees ensuring privacy and the visual amenity of the public.

With regard to design, the building will accommodate the following:

- The new dwellinghouse will use finishes appropriate to the area including wet dash render, and natural slate.
- Windows and doors will be vertically proportioned.
- The roof will have a minimum pitch of 35 degrees.



*Proposed aerial view (for information purposes)*

**Access**

Access to the new dwelling will be formed wholly within the ground owned by the applicant, i.e. no new vehicular access will be required from the public road.

**Flooding**

A flood risk assessment was prepared at the time of the construction of the original dwelling.

**Landscaping**

It is intended that the site will be landscaped with native species.

Nicholson McShane Architects

June 2021

(first revision July 2021)

**3. APPOINTED OFFICER'S REPORT OF HANDLING  
DATED 6 SEPTEMBER 2021**

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**REPORT OF HANDLING**

**Report By:** David Ashman

**Report No:** 21/0211/IC

**Local Application  
Development**

**Contact  
Officer:** 01475 712416

**Date:** 6<sup>th</sup> September 2021

**Subject:** Proposed new detached dwellinghouse (in principle) at  
Valley View Farm, Dougliehill Road, Port Glasgow

**SITE DESCRIPTION**

The application site extends to approximately 0.63 hectare and comprises ground which is associated with an existing residential property to the north-west, known as Valley View Farm. The application site, together with the adjacent Valley View Farm dwelling, was formerly part of the site of the Dougliehill Water Treatment Works. The site slopes downwards gently in a northerly direction. The curtilage is of variable appearance and evidentially seems to have been used for different purposes over time.

What is clearly delineated is the applicant's current vehicular access from Dougliehill Road, located within the western part of the application site boundary. It consists of a mix of red stone chips, loose gravel and sealed tarmacadam for the section nearest to the road, with block paving leading down to Valley View Farm. West of this the ground is unmaintained with high growing weeds and grasses. The ground conditions are similar within the eastern part of the site. There is evidence that at least part of this consists of colonised areas of hardstanding and at the time of site visit there were scattered vehicles, pallets, containers and other plant within this part of the site. An area of ground to the east of Valley View Farm shows some signs of maintenance and includes a limited number of outbuildings including a small chicken coup and a greenhouse.

The site boundary treatment is variable. The northern boundary and parts of the western boundary are not defined. Those parts of the western boundary that are defined consist of a partially dilapidated 1.8 metres high close boarded wooden fence and a slightly higher white painted section of brick wall. The southern boundary, fronting Dougliehill Road, consists of a mix of a breeze block wall of variable height, up to approximately 1.8 metres and metal palisade railings also approximately 1.8 metres high, both with much higher conifers to the rear. The eastern boundary largely consists of an approximately 2.4 metres high metal palisade fence.

The application site sits in a reasonably isolated rural location in the countryside to the south of Port Glasgow although there are a small number of other dwellings in the vicinity. The Valley View Farm dwelling, which sits to the north-west, was granted planning permission in December 2004 (together with a free range egg production facility and a temporary static home) and was restricted by a legal agreement tying occupation of the dwelling to an egg production facility. This permission was amended by a subsequent application in February 2008. By 2011 the egg production facility had become unviable and the legal obligation was discharged on appeal. This dwelling is two storeys high and is finished in black slates and white wet dash render with brown uPVC windows. A second dwelling with a brown concrete tile roof and white wet dash walls is located further along

the western boundary. This property has a number of outbuildings associated with it, some of which are used as kennels. To the east of the site are the grounds of a former water treatment works. Ground to the north is undisturbed scrub which steeply falls away northwards whilst to the south beyond Dougliehill Road lies grazing land which also contains the former Dougliehill Reservoir.

## **PROPOSAL**

Planning permission is sought, in principle, for the construction of a new detached single storey dwellinghouse. Indicative drawings submitted by the applicant show that it is intended this will be constructed in the eastern part of the application site, close to the eastern boundary fence and approximately 36 metres to the south-east of the Valley View Farm dwelling. This places it between the Valley View Farm dwelling and Dougliehill Road, albeit at an offset angle. The drawings also show what appears to be a mainly white render wall finish and dark grey slates or tiles. No floor plans have been provided.

The application is supported by a design statement which sets out justification for the dwelling. It is indicated that the applicant's needs have changed since Valley View Farm was constructed and a single storey dwelling is required for ease of access. It is considered that the dwelling could be constructed without loss of public amenity of significant effect on the Green Belt. An identified shortfall in the housing land supply is referenced which the house would help address. The applicant considers that the site should be regarded as exception as:

- It is brownfield and has been in continuous use since the late 1800s.
- It has no public utility value and views into the site are restricted.
- Existing built form in the vicinity makes this an unusual Green Belt location.
- The recent planning permission for a building conversion at West Dougliehill Farm will result in the proposal leading to a small hamlet of dwellings on Dougliehill Road.
- The approval of residential development on ground west of Quarry Drive in Kilmacolm sets a precedent for the loss of Green Belt ground.

The statement also goes on to carry out a policy analysis. The applicant rests on drainage information provided in connection with a much earlier application.

## **DEVELOPMENT PLAN POLICIES**

### **ADOPTED 2019 INVERCLYDE LOCAL DEVELOPMENT PLAN**

#### **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 6 - Low and Zero Carbon Generating Technology**

Support will be given to all new buildings designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 20% by the end of 2022.

Other solutions will be considered where:

- (a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and

(b) there is likely to be an adverse impact on the historic environment

\*This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.

### **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:

- a be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);
- b increase the level of flood risk elsewhere; and
- c 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 during construction and once completed 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:

- a 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
- b 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 11 - Managing Impact of Development on the Transport Network**

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network. Development should comply with the Council's roads development guidelines and parking standards. Developers are required to provide or contribute to improvements to the transport network that are necessary as a result of the proposed development.

### **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.

**Planning Application Advice Note (PAAN) 2** on "Single Plot Residential Development", **Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development" and **Planning Application Advice Note (PAAN) 8** on "Siting and Design of New Houses in the Countryside" apply.

## **PROPOSED 2021 INVERCLYDE LOCAL DEVELOPMENT PLAN**

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

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing and assessing development proposals, consideration must be given to the factors set out in Figure 2 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

## **Policy 6 - Low and Zero Carbon Generating Technology**

Support will be given to all new buildings designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 25% by the end of 2025.

Other solutions will be considered where:

- (a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and
- (b) there is likely to be an adverse impact on the historic or natural environment.

\*This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.

## **Policy 9 - 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:

- o be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- o increase the level of flood risk elsewhere; and
- o reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood risk management 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 resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

## **Policy 10 - Surface and Waste Water Drainage**

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed 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 4th 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, which identifies who will be responsible for maintenance and how this will be funded in the long term.

### **Policy 11 - Promoting Sustainable and Active Travel**

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

- o provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, including links to the wider walking, cycling network and public transport network; and
- o 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 national, regional and 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; and the resources protected by the Plan's historic buildings and places and natural and open spaces chapters

### **Policy 12 - Managing Impact of Development on the Transport Network**

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network.

Development should comply with the Council's roads development guidelines and parking standards, including cycle parking standards.

Developers are required to provide or financially contribute to improvements to the transport network that are necessary as a result of the proposed development.

### **Policy 15 - 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) within the curtilage of an existing use, which 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. Proposals in the green belt must not undermine the objectives of the green belt as set out in Scottish Planning Policy and the Clydeplan Strategic Development Plan. Non-conforming uses will only be considered favourably in exceptional or mitigating circumstances.

## **Policy 17 - Brownfield Development**

The Council offers in principle support for proposals to bring brownfield sites in the urban area into beneficial use.

Proposals for the temporary greening of brownfield sites will be supported where it is demonstrated that they will deliver a positive impact to the local environment and overall amenity of the area. For sites identified for development in this Plan, temporary greening projects should not prejudice the future development of the site.

Proposals for advanced structure planting to create a landscape framework for future development on sites identified in the Plan will be supported.

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 are acceptable to the Council and ensure that the site can be made suitable for the proposed use.

## **Policy 18 - Land for Housing**

To enable delivery of the Clydeplan Strategic Development Plan housing supply target for Inverclyde, new housing development will be supported on the sites identified in Schedule 3, 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 Design Guidance for Residential Development, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

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 the following criteria:

- a) a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- b) there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan;
- c) that the proposal is for sustainable development; and
- d) evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages to be for affordable housing. Supplementary Guidance will be prepared in respect of this requirement.

## **Policy 19 - Individual and Small Scale Housing Development in the Green Belt and Countryside**

Proposals for individual and small scale housing development (up to 3 houses) in the Green Belt and Countryside will only be supported in the following circumstances:

- a) where the dwelling(s) is justified by the operational needs of a farm or other viable business which is inherently rural in nature and has been in operation for at least 5 years;
- b) where the dwelling(s) is an ancillary and integral part of a development that would bring significant economic benefits to Inverclyde;

- c) demolition and replacement of a habitable dwelling which cannot otherwise be brought up to current building standards, and where the proposed dwelling is similar in scale to the existing dwelling;
- d) sub-division of an existing dwelling to create one or more additional dwellings, but only where any extensions are clearly ancillary to the existing building; or
- e) conversion of redundant stone or brick built non-residential buildings, where the proposal is supported by proof that the existing building is no longer needed for its original purpose, and a structural survey indicates that the building is structurally sound and capable of conversion without substantial alteration, extension or rebuilding, with any new build element clearly ancillary to the existing building.

In all instances, dwellings are required to be designed and located to respect and complement their Green Belt/Countryside location and their landscape setting. Any new development should positively contribute to the established character of the local landscape in terms of siting, scale, design, form and materials.

### **Policy 34 - Landscape**

The siting and design of development should take account of local landscape character and setting in order to conserve, enhance and /or restore landscape character and distinctiveness. Development should aim to conserve those features that contribute to local distinctiveness including:

- a) the setting of buildings and settlements within the landscape
- b) the pattern of woodlands, fields, hedgerows and trees; especially where they define/ create a positive settlement/ urban edge
- c) the character and distinct qualities of river corridors
- d) historic landscapes
- e) topographic features, including important/ prominent views, vistas and panoramas

When assessing development proposals likely to have a significant impact on the landscape, the guidance contained in the Glasgow and Clyde Valley Landscape Character Assessment will be taken into account.

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special landscape qualities as set out in the Statement of Importance. Where there is potential for development to result in a significant adverse landscape and/or visual impact, proposals should be amended to avoid or mitigate these impacts through being informed by a landscape and visual impact assessment.

**Draft Planning Application Advice Note (PAAN) 2** on "Single Plot Residential Development", **Draft Planning Application Advice Note (PAAN) 3** on "Private and Public Open Space Provision in New Residential Development" and **Draft Planning Application Advice Note (PAAN) 8** on "Siting and Design of New Houses in the Countryside" apply.

### **CONSULTATIONS**

**Head of Service - Roads and Transportation** – There are no objections subject to the following matters being addressed:

1. Parking provision should be provided in accordance with the national guidelines which are dependent on the number of bedrooms within the dwelling.
2. Each space on the driveway shall be a minimum of 3.0m by 5.5m.
3. The driveway access should be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road. The driveway gradient shall not exceed 10%.
4. Although an existing access, the driveway should be constructed to ensure it joins Dougliehill Road at 90 degree.
5. The applicant should demonstrate they can achieve a visibility of 2.0m x 75.0m x 1.05m.
6. All surface water should be managed within the site to prevent flooding to surrounding properties and the public road network.
7. Confirmation of Scottish Water acceptance to the proposed development should be submitted for approval.

**Head of Public Protection and Covid Recovery** - There are no objections subject to the following matters being addressed:

1. 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.
2. 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.
3. 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.
4. 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 a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
5. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.
6. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

It is noted that as the applicant owns the adjoining property and intends to move into the new one they will be aware of the dog boarding business next door to the development. It is also

recommended that an advisory note be applied to a permission drawing the attention of the applicant to the Construction (Design & Management) Regulations 2015 (CDM 2015).

**Scottish Water** – No objection but early contact is advised over proximity of infrastructure. Capacity issues are also highlighted.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 30th July 2021 as there are no premises on neighbouring land.

## **SITE NOTICES**

The nature of the proposal did not require a site notice.

## **PUBLIC PARTICIPATION**

One objection was received. It is pointed out that the site is within the Green Belt and concern is expressed that the proposal would be detrimental to the objector's business. Other points mainly relate to previous planning permissions in the vicinity and are being addressed separately.

## **ASSESSMENT**

The material considerations in determination of this application are Scottish Planning Policy, the adopted and proposed Inverclyde Local Development Plans (LDP), adopted and draft Planning Application Advice Notes (PAAN) 2 on "Single Plot Residential Development", adopted and draft Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" and Planning Application Advice Note (PAAN) 8 on "Siting and Design of New Houses in the Countryside", the consultation replies, the objection, the applicant's supporting information and the planning history of the site.

The SPP introduces a presumption in favour of sustainable development and indicates that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place but not to allow development at any cost. Planning policies and decisions should support sustainable development. Paragraph 29 of the SPP sets out 13 policy principles in this regard. Both Strategic and Local Development Plan policies are required to follow national policy.

The application site is located within the Green Belt, as defined by the adopted LDP. This invokes initial consideration of the Glasgow and the Clyde Valley Strategic Development Planning Authority Clydeplan. It is the case, however, that the construction of one house does not constitute a strategic scale of development under Schedule 14 of Clydeplan and therefore consideration of the proposal, in development plan terms, falls to the adopted LDP.

As noted, the application site is within the Green Belt and Policy 14 of the adopted LDP, which addresses development in the Green Belt, is relevant. This policy indicates that development will only be permitted if it is appropriately designed, located and landscaped and is associated with five specified criteria. These are that it 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) within the curtilage of an existing use, which is of an appropriate scale and form. Policy 15 of the proposed LDP is similarly worded. The proposal does not meet any of these criteria.

Furthermore, Policy 19 of the proposed LDP reinforces Policy 15 with regard to individual and small scale housing in the Green Belt. This policy sets out additional nuanced and supportive criteria in respect of small scale development, specifically a) where the dwelling is justified by the needs of an operational farm or other viable business which is inherently rural in nature and has been in operation for at least 5 years; b) where the dwelling is an ancillary part of a development that would bring significant economic benefits to Inverclyde; c) demolition and replacement of a habitable dwelling which cannot be brought up to current building standards, and where the proposed dwelling is similar in scale to the existing dwelling; d) sub-division of an existing dwelling to create one or more additional dwellings, but only where any extensions are clearly ancillary to the existing building; or e) conversion of redundant stone or brick built non-residential buildings, where the proposal is supported by proof that the existing building is no longer needed for its original purpose, and a structural survey indicates that the building is structurally sound and capable of conversion without substantial alteration, extension or rebuilding, with any new build element clearly ancillary to the existing building. A proposal could be supported if any of these criteria apply but, again, none of them are applicable.

With regard to Policy 18 of the proposed LDP, whilst the applicant does make reference to the site being brownfield, criterion (a) of the policy is quite specific in that it identifies a strong preference for appropriate brownfield sites within the identified settlement boundaries. The proposal therefore cannot be supported solely on the grounds that although it is a brownfield site it is not within one of the settlement boundaries recognised by the LDPs.

The remaining policies of both the adopted and proposed LDPs relate to matters that would be more appropriately addressed under a detailed application and assessment of the proposal against these policies is to an extent academic given that the proposal is not acceptable in principle with regard to the key Green Belt policies. In summary and for completeness however, Policy 1 of both LDPs requires all development to have regard to the six qualities of successful places but with reference to relevant PAANs. The relevant factors in this instance are being “Distinctive”, in reflecting local architecture and urban form (expanded to respecting landscape setting and character and urban form, and reflecting local vernacular/architecture and materials in the proposed LDP), all within the context of the design guidance in the adopted and draft PAANs; “Resource Efficient” in making use of previously developed land (but in the above policy context) and incorporating low and zero carbon energy-generating equipment; being “Easy to Move Around” with regard to good path links to the wider network, public transport nodes and neighbouring developments; and being “safe and Pleasant” in avoiding conflict with adjacent uses by adverse impacts that may be created, most notably by noise, invasion of privacy or overshadowing, and minimizing the impact of traffic and parking on the streetscene.

In this regard, it is possible that a dwelling may be appropriately designed in accordance with the Planning Application Advice Note Supplementary Guidance. With respect to the PAAN2s, this would be the plot size, proportion of built ground to garden ground, the distance of the building to garden boundaries (these criteria also applying to the PAAN3s) and use of facing materials could all reflect the locality. Window positions could be established which would not cause any privacy conflicts, and adequate parking provision could be made. The proposed dwelling position may not reflect the established front building line but the existing high front boundary treatment ameliorates the potential wider visual impact. The PAANs’ guidance on low and zero carbon energy-generating equipment being incorporated into the design and being secured by condition (also addressing Policy 6 in both LDPs), the avoidance of conflict through noise, invasion of privacy or overshadowing by design and positioning, and parking being accommodated within the site could all be addressed in a detailed application. The site does, however, have no dedicated pedestrian connectivity to paths in the wider network, public transport nodes and neighbouring developments. The proposal therefore does not satisfactorily address the connectivity requirements of adopted LDP Policy 10 or the equivalent Policy 11 of the proposed LDP. Conversely the requirements of Policy 11 of the adopted LDP and Policy 12 of the proposed LDP in respect of parking provision would probably be met given the size of the site.

Policy 8 of the adopted LDP and Policy 9 of the proposed LDP require that proposals be demonstrated to not be at risk of flooding; increase the level of flood risk elsewhere, or to reduce the water conveyancing and storage capacity of a functional flood plain. Policy 9 of the adopted LDP and Policy 10 of the proposed LDP require that where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system or where such a connection is not feasible, a temporary wastewater drainage system can be supported if i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contribution, and ii) the design of, and maintenance arrangements for the temporary system meets the requirements of SEPA, Scottish Water and Inverclyde Council as appropriate. It is also the case that 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. Dougliehill Reservoir remains nearby and map based information suggests a watercourse may be culverted through the site. It would therefore be appropriate that consideration would require to be given to any implications of new building works on drainage in this instance. The applicant, however, has indicated that the proposal will not require a new or altered water supply or drainage arrangements and gives no information on flooding issues, only stating that a flood risk assessment was prepared at the time of the construction of the Valley View Farm dwelling. In light of the fact that the applicant rests on drainage information submitted with a much earlier application, it is not possible to conclude that the proposal addresses the requirements of Policies 8 of the adopted LDP and 9 of the proposed LDP as a different type of construction would be taking place on a different part of the original development site. Policies 9 of the adopted LDP and 10 of the proposed LDP may be addressed through liaison with the appropriate water infrastructure utilities.

Finally, assessment of the landscape impact of the proposal under Policy 34 of the proposed LDP would be more appropriately carried out under a detailed application rather than a planning permission in principle application. The previously noted high boundary treatment along the front of the property would help reduce landscape impact.

Overall, therefore and based on the information provided by the applicant I conclude that the proposal is contrary to the adopted and proposed LDPs. It remains to be considered if there are any other material considerations which suggest that planning permission should be granted.

With regard to the SPP and in light of the assessment against the adopted and proposed LDPs, it is concluded that the proposed development is not in a sustainable location. This conclusion is reached on the basis of non-compliance with several of the criteria, specifically that it would not support town centre and regeneration priorities; would not support the delivery of accessible housing; would not support climate change mitigation and adaption including taking account of flood risk; and does not have regard for sustainable land use. All of the points raised in the consultation replies which have not been incorporated into the above assessment already could be addressed by conditions or advisory notes on a grant of planning permission.

With regard to the objection, the concern which is directly relevant to the application relates to potential adverse impact on the existing business, most likely related to noise from an established use. Having considered the situation, it is the case that the objector's business is long established in the area and should positive consideration have been given to the proposal it is possible that the applicant would have been required to be put in place some measures which would help address the objector's concerns.

With regard to the points in support of the application which were raised by the applicant, whilst it is noted that the site has previously been developed and is therefore an unusual Green Belt location, this is only one factor to be taken into consideration. As noted above, the location of the site is unsustainable for further residential development. Whether or not the site has public utility value is not a relevant material consideration. The earlier planning permission for a building conversion at West Dougliehill Farm was in accord with planning policy on conversion of existing buildings. Whether or not it will result in the proposal leading to a small hamlet of dwellings on Dougliehill Road is not of relevance and not a point of justification for a new build dwelling. The reference to

the approval of residential development on ground west of Quarry Drive in Kilmacolm setting a precedent for the loss of Green Belt ground is irrelevant as this was a planned release of land being ratified through the development plan process for the proposed LDP and was required to meet specific circumstances in reflect of housing land supply. It therefore does not set a precedent. There are no other material considerations which are applicable to this proposal.

In conclusion, Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended) requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is concluded that the proposal is a departure from both the adopted and proposed Inverclyde Local Development Plans, is contrary to the SPP with regard to sustainable development principles, and that there are no other material considerations which suggest that planning permission should be granted. Planning permission should therefore be refused.

## **RECOMMENDATION**

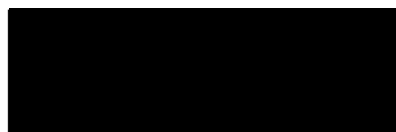
That the application be refused for the following reasons:

1. That as the proposal is for a detached dwellinghouse within the Green Belt which has not been justified under Policy 14 of the adopted 2019 Inverclyde Local Development Plan or Policies 15 and 19 of the proposed 2021 Inverclyde Local Development Plan, it is contrary to both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan respectively.
2. That as the proposal is for a detached dwellinghouse in a rural location with no safe and convenient links to the wider walking network it is unlikely to promote sustainable and active travel and is therefore contrary to Policy 10 of the adopted 2019 Inverclyde Local Development Plan and Policy 11 of the proposed 2021 Inverclyde Local Development Plan.
3. That as the applicant has not demonstrated that the proposal will not be at significant risk of flooding or increase the level of flood risk elsewhere it has not been justified under Policy 8 of the adopted 2019 Inverclyde Local Development Plan or Policy 9 of the proposed 2021 Inverclyde Local Development Plan.
4. That as the application site is not a brownfield site within an identified settlement boundary it cannot be justified against Policy 18 of the proposed 2021 Inverclyde Local Development Plan.
5. That as the proposal does not accord with the sustainable principles of Scottish Planning Policy (2014), specifically in that it would not support town centre and regeneration priorities; would not support the delivery of accessible housing; would not support climate change mitigation and adaption including taking account of flood risk; and does not have regard for sustainable land use, it does not therefore constitute sustainable development and is contrary to the Scottish Planning Policy.

Signed:



Case Officer: David Ashman



Mr Stuart W Jamieson  
Interim Service Director  
Environment and Economic Recovery



## **4. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 POLICY EXTRACTS**

## 3.0 CREATING SUCCESSFUL PLACES

### Introduction

**3.1** Inverclyde has many fantastic and unique places. Examples include the Free French Memorial and Lyle Hill, which offer panoramic views over the Firth of Clyde; Quarriers Village, built in the 19<sup>th</sup> century as an orphans' village and filled with individually designed homes of that period; the A-listed Edwardian Wemyss Bay railway station; and the grid-pattern Greenock West End conservation area, which is contained to the north by the popular Greenock Esplanade. These, and other places, have stood the test of time and remain places where people want to live and visit.

**3.2** The Council is keen to have more successful places in Inverclyde, and all new development will be expected to contribute to creating successful places. This is particularly important in relation to the Plan's Priority Projects and Priority Places, which reflect major Council investments and the larger scale regeneration opportunities in Inverclyde.

### Creating Successful Places

**3.3** The Council is keen that all development contributes to making Inverclyde a better place to live, work, study, visit and invest. To differing degrees, all scales and types of development have the potential to make an impact on the surrounding environment and community. It is important to the Council that this impact is a positive one. To this end, the Council will have regard to the six qualities of a successful place when considering all development proposals.

**Distinctive**

**Adaptable**

**Resource Efficient**

**Easy to Move Around**

**Safe and Pleasant**

**Welcoming**

**3.4** **Figure 3** illustrates the factors that contribute to the six qualities of a successful place. Not all will be relevant to every development proposal and planning application, but where they are, the Council will expect development proposals to have taken account of them, and it will have regard to them in the assessment of planning applications.



Quarriers Village

### 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.



Wemyss Bay Railway Station

FIGURE 3: Factors Contributing to Successful Places



**4.6** Wind turbines are a means of generating electricity from a renewable resource. The Council's Supplementary Guidance on Energy will set out a spatial framework and other criteria to guide and assess proposals for wind turbines and wind farms, as well as guidance for other renewable energy technologies.

## POLICY 4 – SUPPLYING ENERGY

Proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impact on:

- a) the green network (including landscape), and historic buildings and places;
- b) the amenity and operations of existing and adjacent uses;
- c) tourism and recreational resources;
- d) air quality;
- e) aviation and defence interests;
- f) telecommunication and broadcasting interests; and
- g) traffic and pedestrian safety

Relevant proposals are required to accord with the Council's Supplementary Guidance on Energy.



## Heat Networks

**4.7** Heat networks offer the opportunity for a more efficient and sustainable means of generating and delivering heat by removing the generation of heat from within individual properties to a communal facility. Heat networks, which are also referred to as district heating, are part of the step-change required towards a more sustainable future and less reliance on gas, and other carbon fuels, as a heat source.

## POLICY 5 – HEAT NETWORKS

Major Development applications will be required to include an energy statement which considers the feasibility of meeting the development's heat demand through a district heating network or other low-carbon alternatives. All proposed developments located adjacent to significant heat sources or proposed/existing heat networks should be designed in such a way as to be capable of connecting to a heat network from that source and any land required for heat network infrastructure should be protected.

## Low and Zero Carbon Generating Technology

**4.8** The Plan is obliged by the Climate Change (Scotland) Act 2009 to include a policy requiring all new buildings to avoid greenhouse gas emissions through the installation of low and zero carbon generating technologies.

## POLICY 6 – LOW AND ZERO CARBON GENERATING TECHNOLOGY

Support will be given to all new buildings designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero-carbon generating technologies. This percentage will increase to at least 20% by the end of 2022. Other solutions will be considered where:

- (a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and
- (b) there is likely to be an adverse impact on the historic environment.

*\*This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.*

## 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:

- a) be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- b) increase the level of flood risk elsewhere; and
- c) 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.



### Surface and Waste Water Drainage

**4.16** Surface water is a significant cause of flooding in Inverclyde, and can also impact on water quality by carrying pollutants into local burns and rivers. To address these issues, many new developments now require to include Sustainable Drainage Systems (SuDS). These systems can also provide an opportunity for

enhancing local biodiversity by creating ponds and wetlands, which slow water flow and filter out pollutants. It is also important that waste water (effluent) from new development is appropriately drained and treated in order to protect public health, amenity and environmental resources. In the majority of cases new development will be required to connect to the public sewer.

**4.17** The Council's 'Flood Risk Assessment and Drainage Impact Assessment – Planning Guidance for Developers', sets out when Drainage Impact Assessments will be required and the issues they require to cover.

## 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 during construction and once completed 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.

## 5.0 CONNECTING PEOPLE AND PLACES

### Introduction

**5.1** Inverclyde has excellent transport connections; the A8 and A78 trunk roads run through the area and it has two train lines with fourteen stations, all of which connect Inverclyde with the rest of the Glasgow city-region and beyond. A number of bus companies also operate across Inverclyde, while four ferry services provide connections to various locations in Argyll and Bute. Inverclyde is also connected by a comprehensive core path network and National Cycle Network routes NCN75 and NCN753, which provide active travel connections to Renfrewshire, Glasgow and Ayrshire.

**5.2** Transport is critical to the prosperity and sustainability of our communities. Economic activity and growth relies on a transport network that enables people and goods to move efficiently around Inverclyde, Scotland and to international markets. At the same time, the need to tackle climate change by cutting transport emissions requires an approach which reduces the need to travel by car and prioritises sustainable travel modes.

**5.3** Planning can improve connectivity and promote sustainable travel by locating new development near active travel and public transport networks, thereby giving people the choice of walking, cycling or using public transport. It is also important to identify where additional transport infrastructure is needed to support new development and ensure that developers contribute toward its provision. Supporting new transport technologies, including the provision of charging points for electric vehicles, will also help reduce carbon emissions.

**5.4** Good digital connectivity allows businesses to reach their markets, and people to keep in touch and work flexibly, wherever they are.

### Promoting Sustainable and Active Travel

**5.5** The Council aims to ensure that new housing, business and industry, retail, and other commercial and community development is easily accessible, in line with the sustainable travel hierarchy: walking, cycling, public transport and cars. It will seek to achieve this by requiring all such development, proportionate to their scale and proposed use, to make the site accessible by walking and cycling, both internally and, where practicable, through links to the external path and footway network. For larger developments, where sufficient passenger numbers might be

generated, the road network will be required to be accessible by public transport, although it is recognised that the provision of services will be a commercial decision for operators. The installation of electric vehicle charging points will be encouraged in new build development, and required in larger developments.

**5.6** At the Main Issues Report stage, suggestions of improvements to transport infrastructure were received including the need for additional car parking in Kilmacolm village centre, the identification of gaps in the cycle/path network, and the need for an alternative route through Inverclyde for when there is reduced capacity on the A8 trunk road. Future developments of the transport network are to be investigated and included if required in the Local Transport Strategy and Active Travel Strategy. These strategies will identify improvements to the transport network in order to make it more efficient and promote sustainable travel. Included projects will be supported in principle, subject to consideration and mitigation of the impact of the schemes on the development opportunities and places protected by this Plan.

## POLICY 10 – PROMOTING SUSTAINABLE AND ACTIVE TRAVEL

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

- a) 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
- b) 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.

## Managing the Impact of Development on the Transport Network

**5.7** Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network. In order to identify any potential capacity issues on the strategic road network (i.e. A8 & A78), the Council consulted Transport Scotland on the development opportunities identified in the Plan. The Council subsequently completed a high level impact appraisal of several large scale development proposals along the A78 in consultation with Transport Scotland, which concluded there will not be a significant cumulative impact on the trunk road network as a result of the Plan's proposals. Mitigation measures may still be required, including for the rail network, as a result of individual developments coming forward and these can be determined through the Transport Assessment process.

**5.8** To ensure that the road network continues to operate efficiently, the Council has standards in place for road development and parking, which new development is expected to comply with. This may require additional improvements to the transport network outwith the actual development site. Where this is the case, developers will be required to meet these costs.

### POLICY 11 – MANAGING IMPACT OF DEVELOPMENT ON THE TRANSPORT NETWORK

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network. Development should comply with the Council's roads development guidelines and parking standards. Developers are required to provide or contribute to improvements to the transport network that are necessary as a result of the proposed development.

#### Air Quality

**5.9** As at 2018, Inverclyde does not have any Air Quality Management Areas or an air pollution reduction strategy. It does have busy transport corridors that can occasionally be congested where air quality is monitored. Some developments can directly affect air quality or change travel patterns in such a way that air quality is affected. In these instances the Council will expect an Air Quality Assessment to be undertaken and mitigation measures to be implemented.

### POLICY 12 – AIR QUALITY

Development that could have a detrimental impact on air quality, or would introduce a sensitive receptor to an area with poor air quality, will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

#### Communications Infrastructure

**5.10** Inverclyde has good digital connectivity, with 4G mobile and superfast broadband coverage available across the majority of the area. This is of benefit to the economy and social networks and contributes towards it being an attractive place to live and invest.

### POLICY 13 – COMMUNICATIONS INFRASTRUCTURE

The Council will support new digital communication infrastructure where it is sited to avoid adverse impact on: the streetscape; the amenity and operations of existing and adjacent uses; our natural and open spaces; and historic buildings and places.



Western Ferry, Gourock

**6.10** The Council's preferred location for new development is within the existing towns and villages, particularly where this re-uses previously developed land.

### Green Belt and Countryside

**6.11** The pattern of development within Inverclyde has been very much shaped by its geography, with a densely developed coastal strip giving way to a sparsely developed rural hinterland. This has been reinforced through the years by a planning strategy that has sought to contain development within the built up area and minimise development in the Green Belt and Countryside. The benefits of this strategy have been a focus on the regeneration and renewal of the urban areas, the placing of development into sustainable locations close to existing services and infrastructure, and the protection of our rural environment. This has been achieved through policies which direct development to existing towns and villages, and restrict development in the Green Belt and Countryside to appropriate types and locations. This approach is supported by national policy and Clydeplan and remains appropriate.

## 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.



Kilmacolm, looking south



## Soils

**6.12** Inverclyde has a rich variety of soil types, ranging from prime/good quality agricultural land around Quarriers Village and Inverkip to carbon rich peatland on Duchal Moor. Soil is recognised as an important natural resource, with agricultural land important for food production and the rural economy. It also supports and influences a range of habitats, stores carbon, and helps prevent and reduce flooding by storing water.

### POLICY 15 – SOILS

Development on prime agricultural land or affecting carbon rich soils will only be supported if:

- a) it is on land allocated for development in this Local Development Plan or meets a need identified in the Strategic Development Plan;
- b) there is a specific locational need for the development;
- c) it is for small scale development directly linked to a rural business; or
- d) it is for renewable energy generation or mineral extraction, and the proposals include provision for the site to be returned to its former status.

For carbon rich soils, it will also need to be demonstrated that adverse impacts on the soil resource during the construction and operational phases of a development will be minimised and the development will not result in a net increase in CO2 emissions over its lifetime.

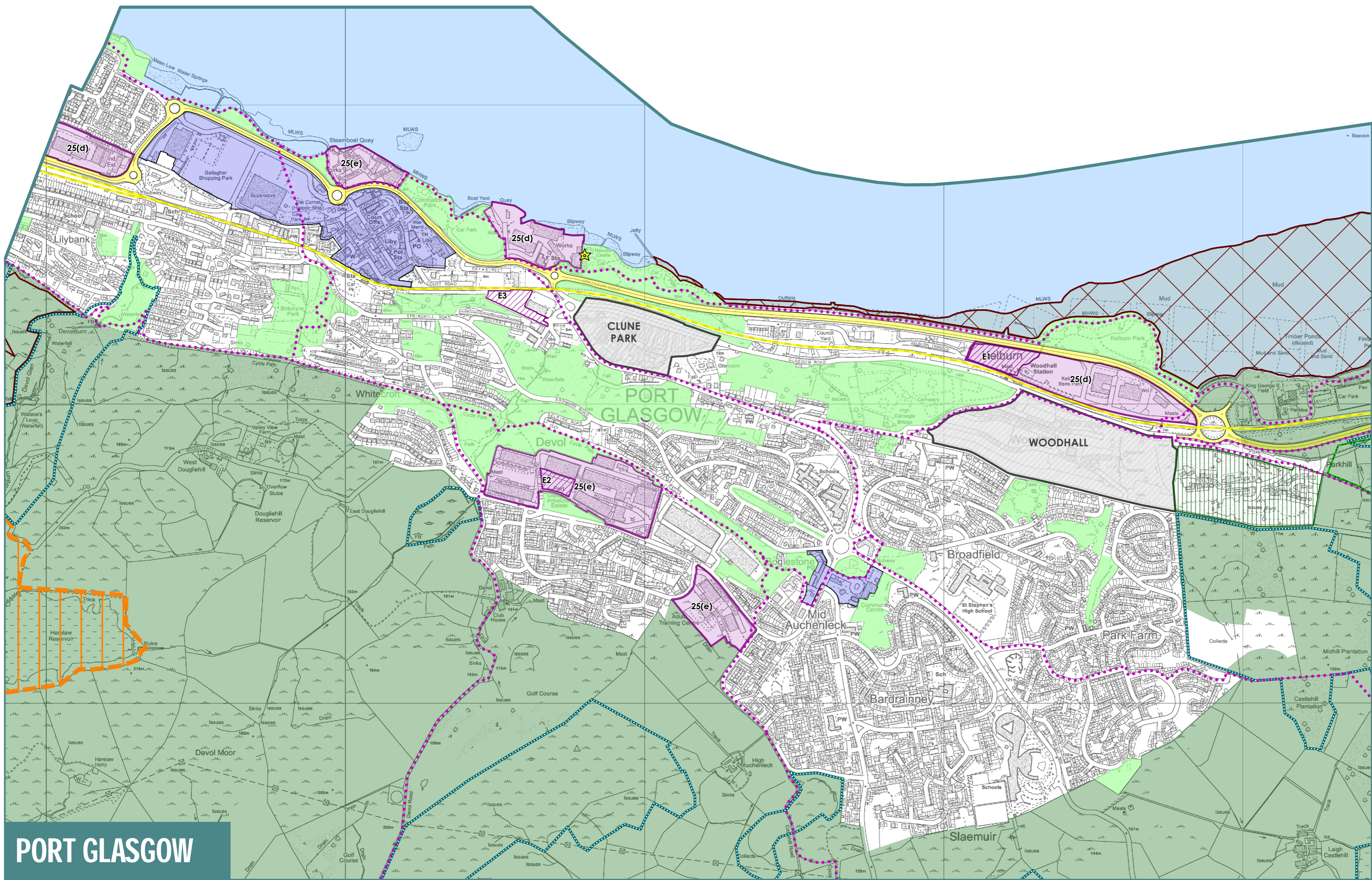
## Contaminated Land

**6.13** Inverclyde has a proud tradition of industrial activity, stretching from its heavy industrial past of shipbuilding to the more recent manufacturing of electronic equipment and components. Many of these industries developed at a time when environmental standards were not as stringent as they are now, and this has resulted in a number of sites across Inverclyde that are potentially contaminated. When a new use is proposed for a site it is essential that any contamination is treated to ensure that the new use can operate safely. Guidance on site investigations and remediation measures is contained in the Scottish Government's Planning Advice Note 33 'Development of Contaminated Land'.

### 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.

## **5. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 MAP EXTRACTS**

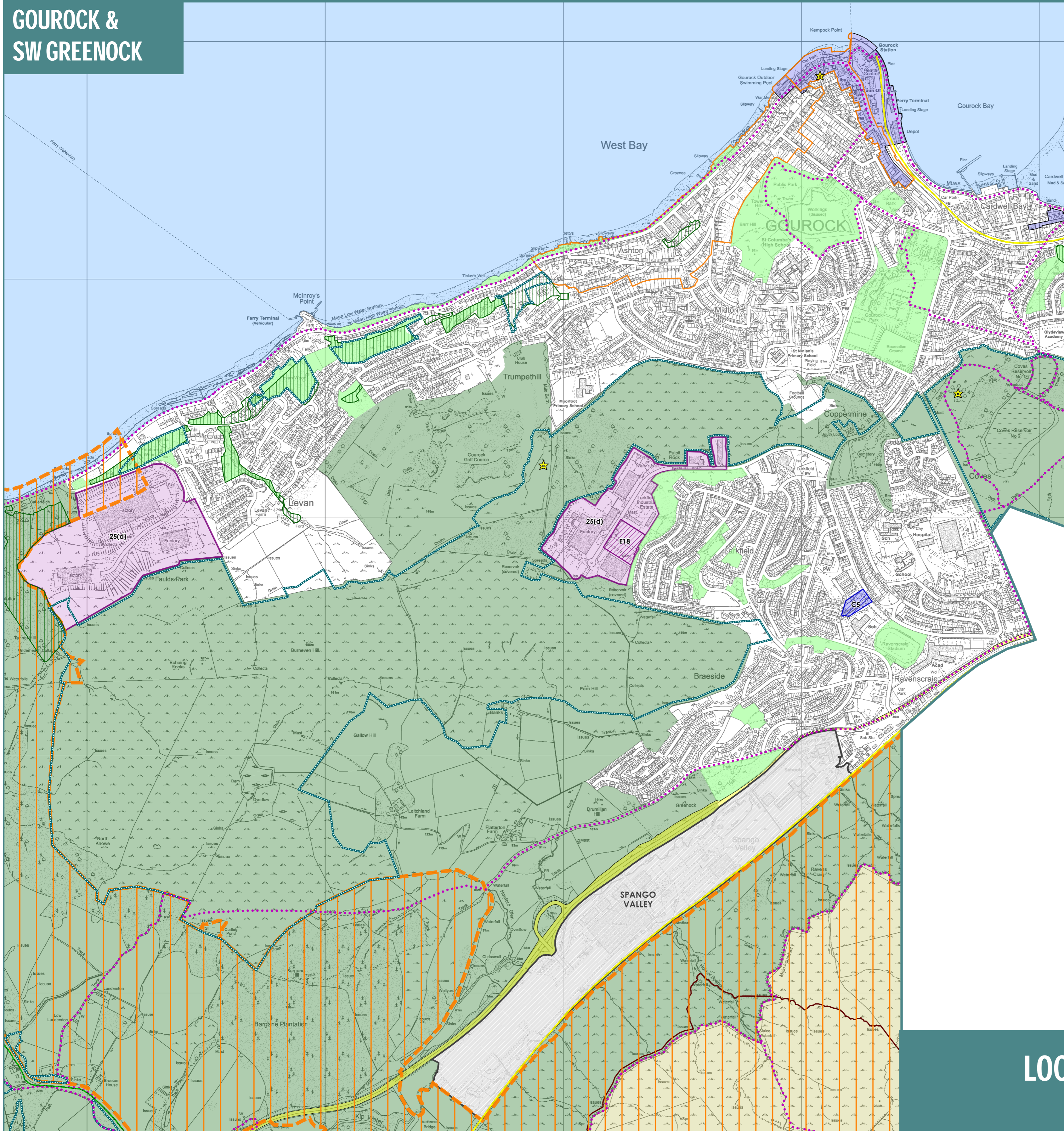


**PORT GLASGOW**

**KEY**

- SUSTAINABLE DEVELOPMENT STRATEGY**
- Priority Place POLICY 3
- CONNECTING PEOPLE AND PLACES**
- Trunk Road POLICY 11
- Railway POLICY 11
- SPATIAL DEVELOPMENT STRATEGY**
- Green Belt POLICIES 14 & 19
- Countryside POLICIES 14 & 19
- OUR TOWN AND LOCAL CENTRES**
- Town Centre / Local Centre POLICY 22
- Network of Centres Opportunity POLICY 22
- OUR JOBS AND BUSINESSES**
- Business & Industrial Area POLICY 25
- Business & Industrial Development Opportunity POLICY 26
- OUR HISTORIC BUILDINGS AND PLACES**
- Conservation Area POLICY 28
- ★ Scheduled Monument POLICY 31
- Gardens & Designed Landscapes POLICY 32
- OUR NATURAL AND OPEN SPACES**
- Special Protection Area / Ramsar Site POLICY 33
- Site of Special Scientific Interest POLICY 33
- Local Nature Conservation Site POLICY 33
- Tree Preservation Order POLICY 34
- Open Space POLICY 35
- Clyde Muirshiel Regional Park POLICY 37
- Core Path POLICY 38
- River Clyde / Firth of Clyde

**GOUROCK & SW GREENOCK**

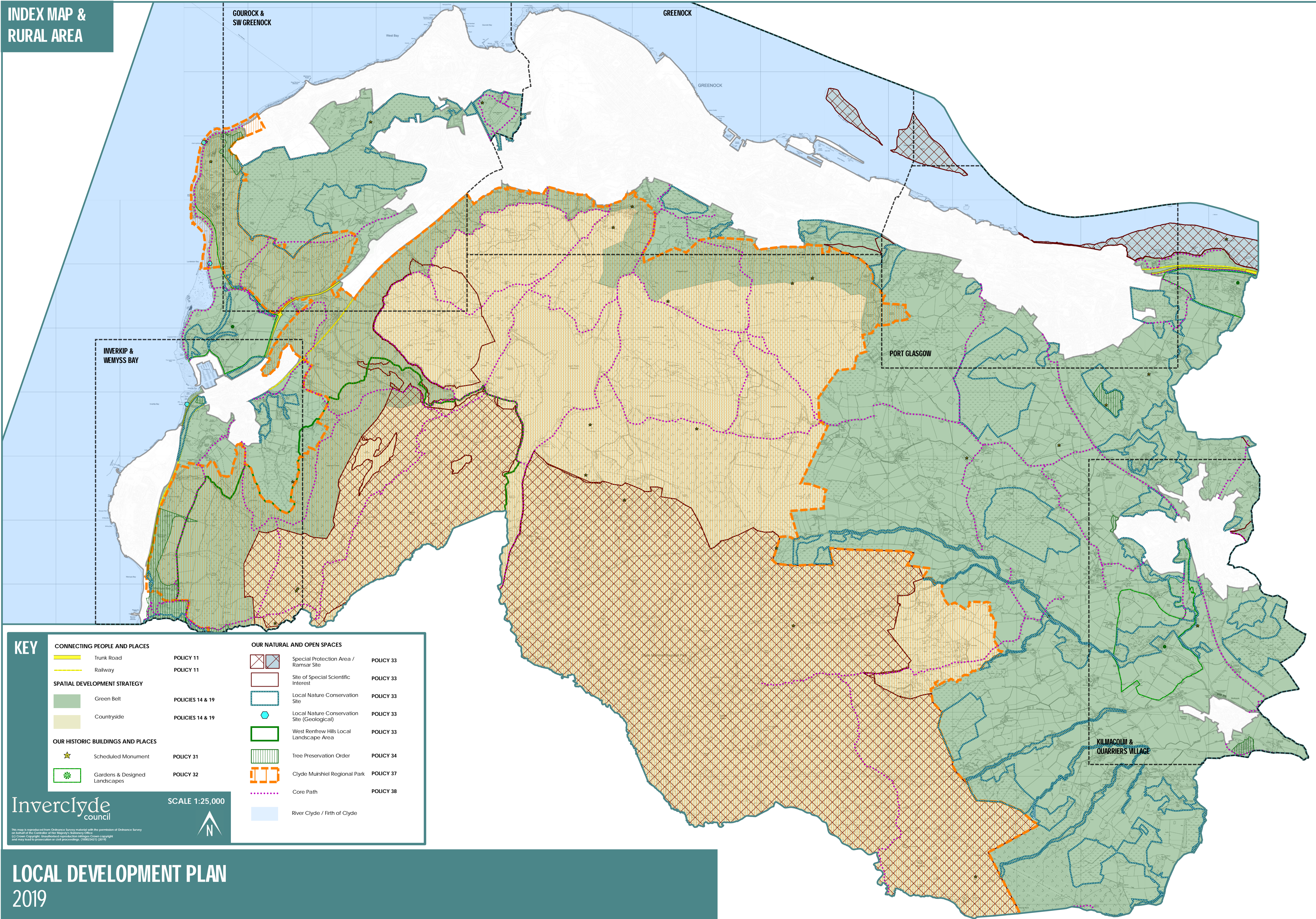


**Inverclyde council** SCALE 1:10,000

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# INDEX MAP & RURAL AREA



**KEY**

<b>CONNECTING PEOPLE AND PLACES</b>		<b>OUR NATURAL AND OPEN SPACES</b>	
	Trunk Road		Special Protection Area / Ramsar Site
	Railway		Site of Special Scientific Interest
<b>SPATIAL DEVELOPMENT STRATEGY</b>			Local Nature Conservation Site
	Green Belt		Local Nature Conservation Site (Geological)
	Countryside		West Renfrew Hills Local Landscape Area
<b>OUR HISTORIC BUILDINGS AND PLACES</b>			Tree Preservation Order
	Scheduled Monument		Clyde Muirshiel Regional Park
	Gardens & Designed Landscapes		Core Path
	POLICY 31		River Clyde / Firth of Clyde
	POLICY 32		
	POLICY 11		
	POLICY 11		
	POLICIES 14 & 19		
	POLICIES 14 & 19		
	POLICY 33		
	POLICY 33		
	POLICY 33		
	POLICY 33		
	POLICY 33		
	POLICY 34		
	POLICY 37		
	POLICY 38		

**Inverclyde council** SCALE 1:25,000

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# LOCAL DEVELOPMENT PLAN 2019

**6. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019  
SUPPLEMENTARY GUIDANCE ON PLANNING  
APPLICATION ADVICE NOTES POLICY EXTRACTS**

## Planning Application Advice Note No. 2

### SINGLE PLOT RESIDENTIAL DEVELOPMENT

There is a constant demand to erect single houses, often within the grounds of large private gardens and occasionally on small derelict or undeveloped areas of ground. These developments are often beneficial, providing additional housing in sustainable locations and removing derelict and untidy sites from the streetscene.

This Advice Note provides guidance on the issues that are considered in determining planning applications for this type of development.

#### **Infill plots will be considered with reference to the following:**

- The plot size should reflect those in the locality.
- The proportion of the built ground to garden ground should reflect that in the locality.
- The distance of the building to garden boundaries should reflect that in the locality.
- The established street front building line should be followed.
- The proposed building height, roof design, use of materials and colours should reflect those in the locality.

- Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. As an alternative, boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable.

- Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, or if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.

- The level of on site car parking should accord with the National Roads Development Guide, should be comparable with the established pattern in the street and be capable of being implemented without detriment to road safety.

#### **Applications in Conservation Areas**

The Greenock West End and Kilmacolm Conservation Areas are characterised by substantial villas set in large gardens. Understandably, there has been pressure for infill residential development in these areas. Historic Environment Scotland's Policy for Scotland explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

#### **Applications in the grounds of listed buildings**

New development within the grounds of listed buildings must have regard to the following:

- The listed building should be maintained as the visually prominent building.
- The principal elevations of the listed building should remain visible from all key viewpoints. New building should not breach any close formal relationship between the listed building and traditional outbuildings.
- Formal gardens should not be affected.
- Developments in front gardens which damage buildings to street relationships will not be supported.
- If a listed building is proposed to be upgraded as part of any development, work requires to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

#### **Trees**

Some infill sites require tree felling to enable development. The Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010 deem that in all but exceptional circumstances, the consent of the Council is required to fell or lop any tree covered by a TPO (Tree Preservation Order) or within a Conservation Area. The promotion of TPOs is an ongoing process and, in assessing applications for development, the

Council has a duty to consider the visual impact which would result if tree felling is required.

## Window intervisibility

The table to the right details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.

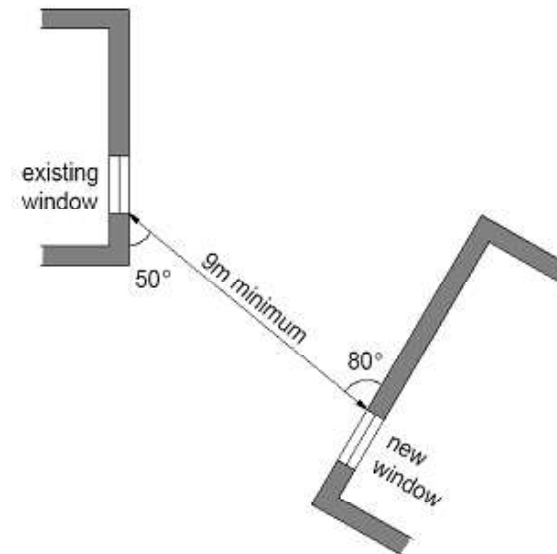


Brisbane Street, Greenock

### Minimum Window to Window Distances (metres)

Angle at window of house/extension etc. to be erected not more than:

Angle at window of any other house not more than:	Angle at window of house/extension etc. to be erected not more than:									
	90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
90°	18	18	18	18	13	9	6	4	3	2
80°	18	18	18	13	9	6	4	3	2	-
70°	18	18	13	9	6	4	3	2	-	-
60°	18	13	9	6	4	3	2	-	-	-
50°	13	9	6	4	3	2	-	-	-	-
40°	9	6	4	3	2	-	-	-	-	-
30°	6	4	3	2	-	-	-	-	-	-
20°	4	3	2	-	-	-	-	-	-	-
10°	3	2	-	-	-	-	-	-	-	-
0°	2	-	-	-	-	-	-	-	-	-



## Planning Application Advice Note No. 3

### PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

Open space provides two important functions; it contributes to “Placemaking”, providing space around and setting for buildings helping to establish the impression of an area, and it can be used to provide areas for outdoor leisure.

This Advice Note provides guidance on the required levels of public open space and private garden ground that should be included in new residential developments.

#### Types of development

No two sites are the same and residential development can range from the single house to sites in excess of 100 units. The standards required vary depending upon the scale of the development. The following definitions apply:

#### SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

- 10 houses or fewer in a vacant / redevelopment site within a built up area.

#### LARGE SCALE INFILL

- more than 10 houses in a vacant / redevelopment site within a built up area.

#### GREENFIELD / EDGE OF TOWN

- the development of a site on the edge of or outside a town or village.

#### FLATTED INFILL

- the development of flats, irrespective of number of units, on a vacant / redevelopment site within a built up area.

#### FLATTED DEVELOPMENT WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF TOWN SITE

- the development of flats, irrespective of number of units, as part of a larger infill development within a town or village, or on a greenfield / edge of town or village site.

#### Private Garden Ground

#### SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

- new development should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries. In all instances the minimum window to window distances below should be achieved.

#### FLATTED INFILL DEVELOPMENTS

- flats should reflect the existing scale of buildings and townscape in the immediate environs. Open space need only be provided where surplus land is available following the provision of any off-street parking required.

#### LARGE SCALE (INFILL) OR GREENFIELD / EDGE OF SETTLEMENT SITE

- the following minimum sizes shall apply:
  - Rear / private garden depth - 9 metres, although where the rear garden does not back onto residential property or where dwellings in

neighbouring properties are significantly distant, this may be reduced if an area of screened side garden of size equivalent to a rear garden with a 9 metre depth can be provided.

- Front / public garden depth - 6 metres to the main wall.
- Distance from house to side boundary - 2 metres.
- Distance from house to side boundary when the house has an attached garage - 3 metres.

#### FLATTED WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF SETTLEMENT SITE

- 10 square metres per bedspace based upon an occupancy rate of two persons per double bedroom and one person per single bedroom.

#### Public Open Space

In developments other than small scale infill and flatted infill sites, public open space is required to be provided to achieve both an appropriate landscape setting for the development and play space.

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.
- It will be the responsibility of the developer to equip the play areas. Children’s play areas and kickabout areas should comprise 0.32 ha per 1000 population.



## Location of Play Areas

- Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.
- Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden depths in excess of 9 metres.

Any new open space and play provision requirements, or changes to existing requirements, identified in a future Inverclyde Greenspace Strategy will supersede those identified above.



## Planning Application Advice Note No. 8

### SITING and DESIGN of HOUSES in the GREEN BELT and the COUNTRYSIDE

Inverclyde's countryside is a valuable resource. Much of it is within the Clyde Muirshiel Regional Park and, in general, development is sparse. It is important that the character of the countryside is retained and that where development occurs it merges into the landscape. Where policies permit the development of new houses, the following design principles apply.

#### Siting of New Housing

- Prominent positions on skylines, ridgelines and hill tops and, where in silhouette the buildings will break the landform, are inappropriate.
- Buildings should be set into the landform with excavation or infill minimised.
- Sites adjacent to or within groups of other buildings will be favoured.
- Tree belts and wooded areas can be used as a backdrop to a house to minimise the visual impact.

#### Design of Housing

##### EXTERNAL WALL FINISH

- Natural stone or wet dash render are traditional to the Inverclyde countryside and should be used.

##### BASECOURSES

- Where a traditional wet dash finish is used, it is expected that this will be applied down to ground level.
- Where a basecourse is used, this should be minimal and finished in a smooth cement render.

##### UNDERBUILDING

- Excessive underbuilding should be avoided.

##### WINDOWS AND DOORS

- All windows should have a vertical emphasis and be surrounded by a smooth cement margin.
- Doors should similarly be surrounded by a cement margin.

##### ROOF

- A minimum pitch of 35 degrees should be achieved.
- The roof should be finished in natural slate or a synthetic slate look-a-like tile which reflects the size, colour and edge detail of a natural slate.

##### EAVES / SKEWS

- Boxed eaves, with large fascia boards and barge boards should be avoided.

##### ROOFLIGHTS

- When required, they should be located at the rear roof plane, have a vertical emphasis and be flush fitted with secret guttering.

##### DORMERS

- The design of dormer windows should accord with the design guidance contained in **Planning Application Advice Note No. 6** on dormer windows. They should be positioned on the roof to vertically line up with windows and / or doors on the facade below and be symmetrical.

##### PORCHES

- If required, these should be designed as an integral part of the building.
- Wall finishes, windows, roofs and eaves / skews should reflect the remainder of the building.



## Converting Buildings to Residential Use

The conversion or re-use of existing buildings in the countryside for residential use will be acceptable subject to the following :

- The building should be structurally sound, must be originally constructed of brick or stone with a slate roof or similar and be largely intact and capable of conversion without substantial demolition and rebuild.
- A structural survey of the property has to be submitted to accompany any planning application.
- The original scale, character, proportion and architectural integrity of the building shall remain intact and any extension shall require, at all times, to be subsidiary to the original building.



- Where a traditional building, the detail of design shall follow the criteria specified previously under the heading "Design of Housing".

## Extending Existing Residential Buildings

Residential buildings are of a variety of shapes and sizes and it is important that alterations to such buildings ensure that their original character is maintained. In this respect, any extension to an existing residential building shall require the following:

- To be subsidiary in scale and position to the original dwellinghouse
- To follow the design details specified in the "Design of Housing" in the case of traditional buildings.

## **7. SCOTTISH PLANNING POLICY EXTRACT**

## **Scottish Government Scottish Planning Policy – Paragraph 29**

29. Planning policies and decisions should support sustainable development. For the purposes of this policy, to assess whether a policy or proposal supports sustainable development, the following principles should be taken into account:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

**Source:** <https://www.gov.scot/publications/scottish-planning-policy/pages/4/>

## **8. REPRESENTATION IN RELATION TO PLANNING APPLICATION**

## Laura Graham

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**From:** David Ashman  
**Sent:** 26 July 2021 17:13  
**To:** Laura Graham  
**Subject:** FW: (No Classification) Dougliehill Kennels

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Classification: No Classification

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**From:** Devcont Planning  
**Sent:** 26 July 2021 17:00  
**To:** David Ashman <David.Ashman@inverclyde.gov.uk>  
**Subject:** FW: (No Classification) Dougliehill Kennels

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Classification: No Classification

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Greenock  
PA151LY  
Tel 01475 71 24 20  
Mob. [REDACTED]

**From:** Liam Kelly [REDACTED]  
**Sent:** 26 July 2021 11:06  
**To:** Devcont Planning <[devcont.planning@inverclyde.gov.uk](mailto:devcont.planning@inverclyde.gov.uk)>  
**Subject:** Dougliehill Kennels

To whom it may concern,

Hello my name is Liam Kelly I am the owner of Dougliehill Dog Boarding Kennels, Pa145tw. I noticed on inverclyde now over the weekend that my neighbour at Valley View Farm has lodged an application for a detached house to be built on the grounds. I was confident that this land is green belt and not available for domestic dwelling development. I have had the Kennels here for over 20 years and feel the development would be detrimental to my business and well being of the dogs. I was also of the understanding that I should be consulted should any plans be put in motion. I am looking for advice on how to lodge a formal objection to any such plans please and shall seek guidance from my solicitor. Thank you for your assistance in this matter going forward and I look forward to hearing from you. My contact details are as follows

Tel [REDACTED]  
Mob [REDACTED]

## Laura Graham

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**From:** David Ashman  
**Sent:** 30 July 2021 08:19  
**To:** Laura Graham  
**Subject:** FW: (No Classification) (Official) Planning application 21/0211/IC: Valley View Farm, Dougliehill Road, Port Glasgow

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Classification: No Classification

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**From:** Liam Kelly [REDACTED]  
**Sent:** 29 July 2021 21:32  
**To:** David Ashman <David.Ashman@inverclyde.gov.uk>  
**Subject:** Re: (Official) Planning application 21/0211/IC: Valley View Farm, Dougliehill Road, Port Glasgow

Liam Kelly  
Old Filter Station House  
Port Glasgow  
PA145XF  
[REDACTED]  
[REDACTED]

Dear David,

With regards to the proposed plans for Valley View Farm I have a few concerns of my own regarding the alterations that have been made without my involvement. I would hope that all planning regulations have been met with regards to the following issues. Firstly this proposed development is on a green belt and should not be available for domestic dwellings as far as I am aware. I am not sure of this and would be grateful if this could be clarified.

This land was only allowed to be developed in the first place on the condition that it would be run as a chicken farm and there hasn't been one for a number of years. The only business that has run out of this address is a scaffolding business which I am also led to believe should not be allowed.

The boundary fence which should be maintained by the residents of Valley View Farm is in the original condition of plans and has been in a state of disrepair for many years now with lots of false promises of sorting it out. The agreement was that this fence should be double lined and maintained along with the boundary wall and a ten foot bunt running to the north of the wall to stop any noise from the dwelling disturbing the dogs.

The previously mentioned bunt is also in the original plans and to my knowledge there has been no alteration to these plans unless it has changed without my agreement. However this ten foot mound of earth seems to have been removed by the residents without gaining any authority from Inverclyde councils planning department. If I'm wrong could I please be given the updated version of the plans to remove this. It seems that there has been a number of alterations to plans and the lay of the land already on this plot without proper authority being gained without adding more unrest with the construction of another house which has no relevance or connection to justify its construction.

The Kennels have been running from this address for over 20 years and operated within all legal requirements and planning authority without question. The council set out the plans initially with the fence, wall and bunt being set in stone as a condition to authorise the construction of the current dwelling next



door which also isn't built on the originally agreed footprint. There seems to be so many issues that have been brushed over next door that it is almost like they are able to carry out any changes to plans, terms and conditions and the actual lay of the land without gaining proper authority from the council. I may be wrong and all consent may have been granted but if that is the case then why wasn't I informed. I would like to strongly oppose these plans as it will cause more noise and unrest to my business to which the dogs' well being is of the utmost importance.

I would really appreciate these concerns to be addressed and clarification given to me as to why they have been allowed to occur.

Many thanks for your time and i look forward to liaising with you to resolve these issues

On Wed, Jul 28, 2021 at 10:36 AM Liam Kelly [REDACTED] wrote:

Ok David thank you for your assistance. Please feel free to contact me at anytime if you need anymore information from me

On Wed, 28 Jul 2021 at 10:20, David Ashman <[David.Ashman@inverclyde.gov.uk](mailto:David.Ashman@inverclyde.gov.uk)> wrote:

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Classification: Official

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Liam,

Thank you for your recent e-mail to Laura Graham which has been passed to me for response.

There is no need for you to seek a lawyer's letter unless you specifically want to. Your originally submission has been accepted as an objection and will be considered in the determination of the application.

I hope this clarifies matters for you.

Regards,

David

**David Ashman**

**Development Management Team Leader**

**Regeneration and Planning**

**Inverclyde Council**

Municipal Buildings

Clyde Square

Greenock

Inverclyde

PA15 1LY

Tel: 01475 712416

E-mail: [devcont.planning@inverclyde.gov.uk](mailto:devcont.planning@inverclyde.gov.uk)

Inverclyde Council website – [www.inverclyde.gov.uk](http://www.inverclyde.gov.uk)

Inverclyde on Twitter – [twitter.com/inverclyde](https://twitter.com/inverclyde)

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**9. DECISION NOTICE DATED 4 OCTOBER 2021  
ISSUED BY HEAD OF REGENERATION &  
PLANNING**

# DECISION NOTICE

## *Planning Permission in Principle- Refusal*

Issued under Delegated Powers

**Regeneration and Planning  
Municipal Buildings  
Clyde Square  
Greenock PA15 1LY**

**Planning Ref: 21/0211/IC**

*Online Ref:100445263-001*

***TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND) REGULATIONS 2013***

**Mrs Patricia Crighton  
Valley View Farm  
Dougliehill Road  
Port Glasgow  
Scotland  
PA14 5XF**

**Douglas Nicholson  
Nicholson McShane Architects  
Custom House  
1-01 Custom House Place  
Greenock  
Scotland  
PA15 1EQ**

With reference to your application dated 13.07.2021 for planning permission under the abovementioned Act and Regulation for the following development:-

**Proposed new detached dwellinghouse (in principle) at**

**Valley View Farm, Dougliehill Road, Port Glasgow**

**Category of Application: Local Application Development**

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission in principle for the said development in accordance with the plan(s) docketted as relative hereto and the particulars given in the application subject however to the following reason(s):-

1. That as the proposal is for a detached dwellinghouse within the Green Belt which has not been justified under Policy 14 of the adopted 2019 Inverclyde Local Development Plan or Policies 15 and 19 of the proposed 2021 Inverclyde Local Development Plan, it is contrary to both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan respectively.
2. That as the proposal is for a detached dwellinghouse in a rural location with no safe and convenient links to the wider walking network it is unlikely to promote sustainable and active travel and is therefore contrary to Policy 10 of the adopted 2019 Inverclyde Local Development Plan and Policy 11 of the proposed 2021 Inverclyde Local Development Plan.
3. That as the applicant has not demonstrated that the proposal will not be at significant risk of flooding or increase the level of flood risk elsewhere it has not been justified under Policy 8 of the adopted 2019 Inverclyde Local Development Plan or Policy 9 of the proposed 2021 Inverclyde Local Development Plan.
4. That as the application site is not a brownfield site within an identified settlement boundary it cannot be justified against Policy 18 of the proposed 2021 Inverclyde Local Development Plan.

5. That as the proposal does not accord with the sustainable principles of Scottish Planning Policy (2014), specifically in that it would not support town centre and regeneration priorities; would not support the delivery of accessible housing; would not support climate change mitigation and adaption including taking account of flood risk; and does not have regard for sustainable land use, it does not therefore constitute sustainable development and is contrary to the Scottish Planning Policy.

The reason why the Council made this decision is explained in the attached Report of Handling.

**Dated this 4th day of October 2021**

**Mr Stuart W. Jamieson**  
**Interim Service Director**  
**Environment and Economic Recovery**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

**Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>**

<b>Drawing No:</b>	<b>Version:</b>	<b>Dated:</b>
21036-LP		01.06.2021
21036-D001		01.06.2021

**10. NOTICE OF REVIEW FORM DATED 12 NOVEMBER  
2021 WITH SUPPORTING STATEMENT FROM  
NICHOLSON MCSHANE ARCHITECTS**

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100445263-002

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Nicholson McShane Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	Custom House
Last Name: *	Nicholson	Building Number:	1-01
Telephone Number: *	01475 325025	Address 1 (Street): *	Custom House Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Greenock
Fax Number:		Country: *	Scotland
		Postcode: *	PA15 1EQ
Email Address: *	consents@nicholsonmcshane.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Valley View Farm"/>
First Name: *	<input type="text" value="Patricia"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Crighton"/>	Address 1 (Street): *	<input type="text" value="Dougliehill Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Port Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PA14 5XF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Inverclyde Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="VALLEY VIEW FARM"/>
Address 2:	<input type="text" value="DOUGLIEHILL ROAD"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PORT GLASGOW"/>
Post Code:	<input type="text" value="PA14 5XF"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673864"/>	Easting	<input type="text" value="231725"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Proposed new detached dwellinghouse (in principle) at Valley View Farm, Dougliehill Road, Port Glasgow

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer to Statement of Appeal attached as supporting document.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Statement of Appeal Planning Application Design Statement Refused Location Plan Refused Proposed Indicative Layout and Visuals (for Information) Refusal Notice Report of Handling

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/0211/IC

What date was the application submitted to the planning authority? \*

12/07/2021

What date was the decision issued by the planning authority? \*

04/10/2021

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

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

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Douglas Nicholson

Declaration Date: 12/11/2021



## **Statement of Appeal**

### **Refusal of Planning Application 21/0211/IC**

### **Proposed new detached dwelling house (in principle) at Valley View Farm, Dougliehill Road, Port Glasgow**

## **Description of Proposal**

The applicants wish to construct a new single storey dwelling on their ground at Valley View Farm, Dougliehill Road, Port Glasgow.

Historically, the ground formed part of a water treatment works associated with the nearby Dougliehill Reservoir. The site is essentially brownfield in nature and sits on the urban fringe of Port Glasgow. This Statement of Appeal should be read in conjunction with the Planning Application Design Statement prepared as part of the original application for Planning Permission.

## **Reasons for Refusal**

The Planning Decision Notice lists five reasons for refusal of the application. We note that the application has been assessed against two versions of the Local Development Plan simultaneously (the adopted 2019 LDP and the proposed 2021 LDP). This effectively doubles the list of policies that the proposal, in the opinion of the Planning officer, does not comply with and gives a misleading impression of the proposal. Reason for Refusal 3, for instance, highlights two policies which are similar in scope and wording. The analysis of the reasons for refusal will point out where Policies from the respective LDPs are similar.

## **Analysis of Reasons for Refusal**

### **Reason 1**

Both Policy 14 of the LDP2019 and Policy 15 of LDP2021 are similarly worded and clause (e) of these policies allow “intensification...of an existing use, which is within the curtilage of the associated use and is an appropriate scale and form”. The applicant considers that the proposal falls squarely into this category of acceptable development. Indeed issues of scale and form can be handled as part of an application for Reserved Matters should the appeal succeed.

With regard to Policy 19, the applicant considers that the proposal will bring significant economic benefit to Inverclyde, including the provision of a high quality dwelling of a type much needed and increasingly sought after in the area.

#### Reason 2

The proposal, far from being in a typical “rural” location, sits on the fringe of the urban area. There are many properties in this type of situation which are not linked to the main network by footpaths. Indeed the end of the council’s Green Network footpath in close proximity to the site is similarly unconnected to the network. Both Policy 10 of LDP2019 and Policy 11 of LDP2021, which are almost identical in content, state that the provisions apply “proportionate to their scale and proposed use”. The applicant considers that the proposed situation is completely proportionate to the single dwelling house proposal. In addition, the site can be reached by bicycle via the public road and can, subject to the more detailed further application, allow for electric car charging facilities in line with the requirements of these Policies.

#### Reason 3

We note that Policy 8 of the LDP2019 and Policy 9 of the LDP2021 are similarly worded. The Council’s policy on flood risk is set out in the adopted document “Flood Risk Assessment and Drainage Impact Assessment: Planning Guidance for Developers”. Clause 2.1 of this document states:

“Currently a FRA has to be submitted along with a planning application depending on the location, size and type of development. Under new guidance from Inverclyde Council an assessment is now required for any residential development comprising more than 5 dwelling (sic) and for industrial or commercial developments of more than 250m<sup>2</sup>. Any development identified by Inverclyde Council to be in a sensitive location will also require an assessment.”

The proposal is clearly under the threshold for requiring a Flood Risk Assessment and there was no indication from planning that the site was being considered as a “sensitive” location and that an FRA would be required.

In any event, Planning are in possession of an FRA previously prepared for development formerly approved on the site. This is referred to in the Planning officer’s Report of Handling.

#### Reason 4

The Planning officer considers that our proposal “cannot be justified” against Policy 18 of the proposed LDP2021. The proposal is not within the settlement boundary and therefore this policy is not relevant to our application.

#### Reason 5

The applicant considers the Planning officer’s assessment of the proposal against Scottish Planning Policy 2014 to be wholly in error.

- The proposed dwelling will support town centre and regeneration priorities by housing another potential customer and user of services for the town centre and another Council Tax payer.
- Whether the proposal supports climate change mitigation surely forms part of the consideration of the detailed phase of assessment (this is an “in principle” application). For the record, the applicant is committed to sustainability and the careful use of resources and to claim that our proposal is inherently unsustainable is incorrect.

- The applicant's views on flood risk are already set out in our comments on Policy 3.
- With regard to sustainable land use, the applicant considers this site adjacent to a number of other dwellings, located on a public road and reusing poor quality former industrial land is perfectly sustainable.

## **Summary**

This proposal is for a modestly scaled and proportioned single dwelling located adjacent to other dwellings on a former water works on the fringe of Port Glasgow. The applicant believes that it should be seen in this context. It will contribute to the local economy before, during and after construction and will be a discrete (indeed hardly noticeable) addition to the landscape. It will also allow the applicant to have a house on the site more closely meeting their changed needs and requirements. We believe that the refusal of application 21/0211/IC should be overturned by the Local Review Body to allow this small scale development to proceed.

Revision A

NMA 6 November 2021

**11. SUGGESTED CONDITIONS AND ADVISORY NOTES  
SHOULD PLANNING PERMISSION BE GRANTED  
ON REVIEW**

## 21/0211/IC - Review - Suggested Conditions and Advisory Notes

Should planning permission in principle be granted on review the following conditions are suggested.

1. Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval.
2. Details of the proposed layout are required to accord with condition 1 above. These shall be shown on a plan at a scale of 1:500 showing the position of the proposed dwelling, means of access and parking provision. The details shall allow for the following:
  - (i) parking (including garages if not less than 3.0 metres by 7.0 metres in size) to be provided in accordance with the National Guidelines of one parking space for a 1-bedroom house, 2 parking spaces for a 2- or 3-bedroom house, and 3 parking spaces for a 4- bedroom house;
  - (ii) the minimum dimensions of driveways shall be 3 metres wide by 5.5 metres long per bay and the driveway gradients shall not exceed 10%;
3. The proposed floor plans and elevations of all buildings are required to accord with condition 1 above, including dimensions and type and colour of all external materials.
4. Details are required to accord with condition 1 above of the type and colour of all hard surfacing materials and that for the avoidance of doubt, the first 2 metres of the vehicular access shall be formed in a hard sealed surface. *[Reason: to ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.]*
5. Details are required to accord with condition 1 above of the proposed landscaping at the site. These details shall include
  - (i) planting, grass seeding and/or turfing;
  - (ii) details of any tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted as well as identifying trees that are to be retained or removed;
  - (iii) details of any mounding or levels adjustments,
6. Details are required to accord with condition 1 above of any walls or fences to be erected on the site.
7. Details are required to accord with condition 1 above of the visibility splays to be provided in both directions at the junction of the vehicular access with Dougliehill Road. The visibility splays shall be a minimum of 2.0 metres x 75.0 metres x 1.05 metres.
8. Details are required to accord with condition 1 above of low and zero carbon generating technologies to be installed in the house. The house shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set



by Scottish Building Standards (rising to at least 20% by the end of 2022) is met through the installation and operation of low and zero carbon generating technologies. The house shall not be occupied until the approved details for that house have been fully implemented as approved.

9. Details are required to accord with condition 1 above of an electric vehicle charging point for the house. The house shall be occupied before its charging point has been installed as approved.
10. That all surface water should be managed within the site to prevent flooding to surrounding properties and the public road network.
11. That confirmation of Scottish Water's acceptance of the proposed development shall be submitted for approval prior to the start of development.
12. 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.
13. 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.
14. 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.
15. 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 a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
16. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until

the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.

Reasons:

1. To ensure that the matters referred to are given full consideration and to accord with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. To ensure a precise and acceptable form of development in the interests of future occupants, the proper functioning of the development, and the appearance of the locality.
3. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
4. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
5. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
6. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
7. In the interests of road safety at and near the access
8. In the interests of minimising carbon emissions.
9. In the interests of minimising carbon emissions.
10. To prevent flooding occurring.
11. To ensure adequate drainage connections can be achieved.
12. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
13. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
14. 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.
15. To ensure that all contamination issues are recorded and dealt with appropriately.
16. To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

## Advisory Notes

1. All external lighting on the application site should comply with the Scottish Government Guidance Note 'Controlling Light Pollution and Reducing Lighting Energy Consumption'.
2. The applicant should be fully aware of the 'Construction (Design & Management) Regulations 2015 (CDM 2015)' and its implications on client duties etc.