

Report To: The Planning Board

Date: 7 June 2023

Report By: Director
Environment & Regeneration

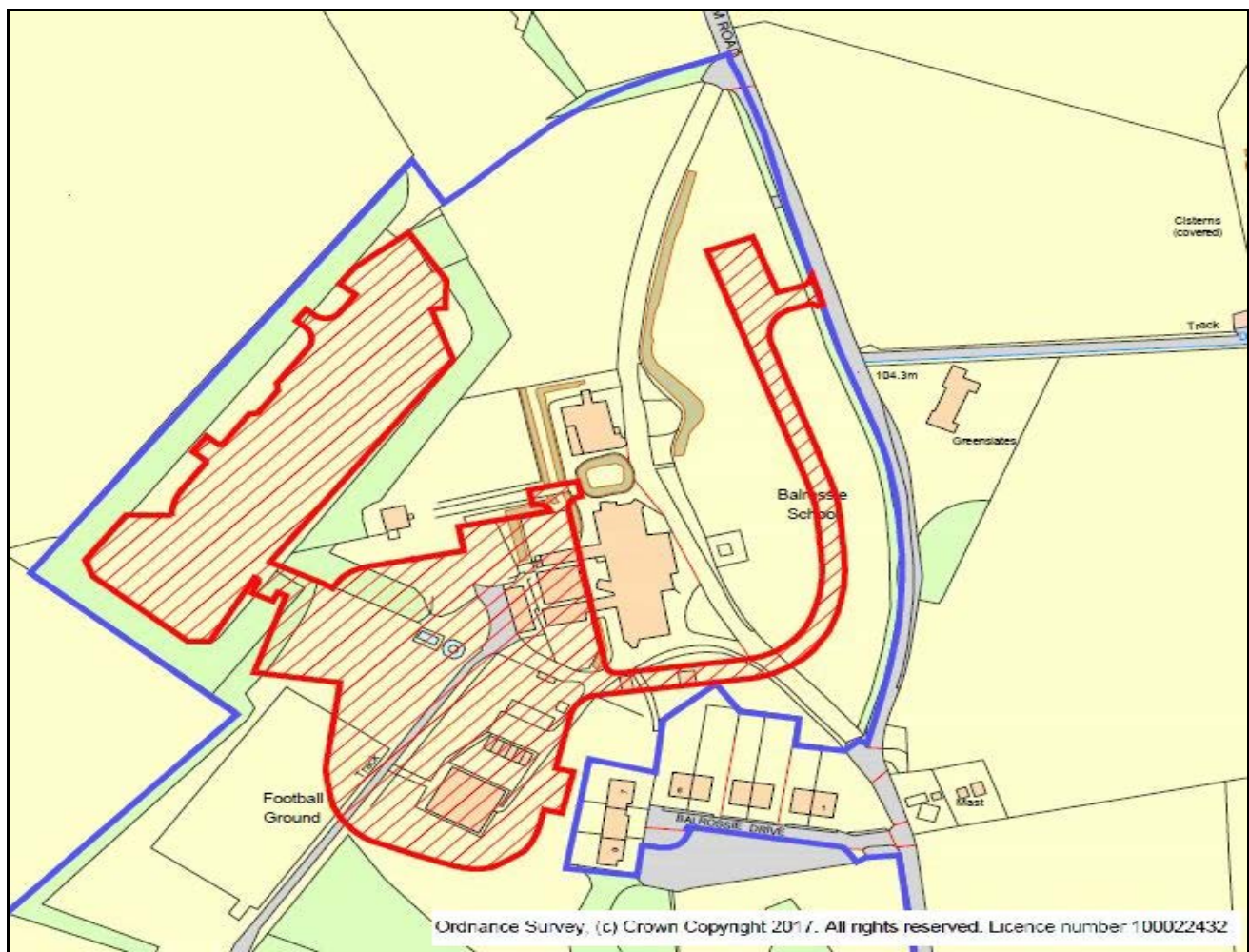
Report No: 23/0018/IC

Local Application Development

Contact Officer: Sean Mc Daid

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Subject: Erection of 22 new build houses with associated roads infrastructure and new package waste treatment plant (renewal of previous planning permission 18/0077/IC) at Balrossie House, Blacksholm Road, Kilmacolm



SUMMARY

- The proposal is acceptable against National Planning Framework 4.
- The proposal is a departure from the adopted Inverclyde Local Development Plan as

the site is not identified for residential development.

- The proposal accords with the proposed Inverclyde Local Development Plan being part of land identified for residential development.
- Consultation responses present no impediment to development.
- Two representations objecting to the application have been received and one representation in support of the application has been received.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=RP59FTIML7T00>

SITE DESCRIPTION

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

The home and annexe building (which is located to the north of Balrossie House) are at the front of the site, behind which was the staff annexe and a small single storey ornamental building. All are category B listed buildings.

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

Adjacent and to the south of the site lie a group of houses in a cul-de-sac at Balrossie Drive that were originally associated with the former childrens home but now in private ownership.

The grounds around the listed buildings have not been maintained in recent years and self-seeded trees have also become established over time. This particular application site extends to approximately 1.95 hectares and is mainly located to the rear and to the south-west of the main building as well as towards the west part of the grounds.

PREVIOUS PERMISSION

The following permission is relevant to the current application.

Planning permission 18/0077/IC was granted on 2nd August 2018 subject to conditions for 22 new build houses with associated roads infrastructure and new package waste treatment plant.

It should be noted that under normal circumstances planning permission 18/0077/IC would have expired on 2nd August 2021. However the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2022 extended the lifetime of planning permissions that would have lapsed during the pandemic before the end of the defined "emergency period". As a result planning permission 18/0077/IC expired on 31st March 2023.

PROPOSAL

The current application for planning permission is the same development as approved under 18/0077/IC and the approved development has not been carried out in the intervening period. The current application has been submitted in conjunction with the planning application for the erection of 27 new build houses with associated roads infrastructure and new package waste treatment plant (23/0019/IC) that is within another part of the grounds of Balrossie House. The current

application has also been submitted in conjunction with the planning application to convert the three existing listed buildings on site to residential units (23/0020/IC).

The proposal consists of a mix of 22 four and five bedroom detached houses. All of the proposed houses are of a thematic design and finishes, comprising natural slate roofs with minimal fascias supporting metal rainwater goods, painted wet dash render with smooth band render close to ground level and timber windows with banded surrounds. The proposal includes the erection of fences and fence/wall combinations along boundaries and elements of new soft landscaping. There are to be detached garages in five of the plots.

A play area is to be located towards the centre of this application site and to the south of the Water Tower. The specific details of the play area have not been submitted with this particular planning application.

Similar to the previous planning application 18/0077/IC a number of trees will require to be removed as a result of the proposals however replacement planting is indicated.

A new access road is also to be formed off Balrossie Road that leads up to the to south side of Balrossie House. The new access road is also the access the proposed houses that have been applied for under 23/0019/IC and for the converted listed buildings applied for under 23/0020/IC (being renewals of previous planning permissions 18/0076/IC and 17/0351/IC respectively). It should be noted the proposed access road leading from the new entrance off Blacksholm Road is included in planning applications 23/0019/IC and 23/0020/IC.

The existing vehicular accesses from Blacksholm Road are indicated on the overall proposed site plan as becoming pedestrian routes and the existing gates being refurbished.

A new package waste water treatment plant is indicated adjacent to the new access off Balrossie Road and it is indicated this is to connect into the existing site drainage outfall. This is also included in planning applications 23/0019/IC and 23/0020/IC. The specific details of the treatment plant have not been submitted with this particular planning application.

A Planning Statement has been submitted with the application. A programme of intended works has also been submitted that relates to the entire proposed development at this location including sales over a period of 48 months. Construction works are indicated to take 36 months with sales continuing 6 months after construction. In terms of the 22 houses proposed this indicates that these are to be constructed in Phase 1 over a period of 18 months during which infrastructure works are also to be carried out. During Phase 1 (indicated as months 6 to 26) the listed buildings are to be made safe and outbuildings/extensions removed.

DEVELOPMENT PLAN POLICIES

National Planning Framework 4

NPF4 was adopted by the Scottish Ministers on 13th February 2023. NPF4 forms part of the statutory development plan, along with the Inverclyde Local Development Plan and its supplementary guidance. NPF4 supersedes National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP) (2014). NPF3 and SPP no longer represent Scottish Ministers' planning policy. The Clydeplan Strategic Development Plan and associated supplementary guidance cease to have effect from 13th February 2023 and as such no longer form part of the development plan.

NPF4 contains 33 policies and the following are considered relevant to this application.

Policy 1

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 3

d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy 7

c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

Policy 8

a) Development proposals within a green belt designated within the LDP will only be supported if:

i) they are for:

- development associated with agriculture, woodland creation, forestry and existing woodland (including community woodlands);
- residential accommodation required and designed for a key worker in a primary industry within the immediate vicinity of their place of employment where the presence of a worker is essential to the operation of the enterprise, or retired workers where there is no suitable alternative accommodation available;
- horticulture, including market gardening and directly connected retailing, as well as community growing;
- outdoor recreation, play and sport or leisure and tourism uses; and developments that provide opportunities for access to the open countryside (including routes for active travel and core paths);
- flood risk management (such as development of blue and green infrastructure within a “drainage catchment” to manage/mitigate flood risk and/or drainage issues);
- essential infrastructure or new cemetery provision;
- minerals operations and renewable energy developments;
- intensification of established uses, including extensions to an existing building where that is ancillary to the main use;
- the reuse, rehabilitation and conversion of historic environment assets; or
- one-for-one replacements of existing permanent homes

and

ii) the following requirements are met:

- reasons are provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt;
- the purpose of the green belt at that location is not undermined;
- the proposal is compatible with the surrounding established countryside and landscape character;

- the proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible; and
- there will be no significant long-term impacts on the environmental quality of the green belt.

Policy 9

- a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.
- c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

Policy 14

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women’s safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).

b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;

ii. Will be accessible by public transport, ideally supporting the use of existing services;

iii. Integrate transport modes;

iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;

v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;

vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;

vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and

viii. Adequately mitigate any impact on local public access routes.

c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.

d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.

e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.

f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.

g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

Policy 15

a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

Policy 16

a) Development proposals for new homes on land allocated for housing in LDPs will be supported.

b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:

- i. meeting local housing requirements, including affordable homes;
- ii. providing or enhancing local infrastructure, facilities and services; and
- iii. improving the residential amenity of the surrounding area.

c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:

- i. self-provided homes;
- ii. accessible, adaptable and wheelchair accessible homes;
- iii. build to rent;
- iv. affordable homes;
- v. a range of size of homes such as those for larger families;
- vi. homes for older people, including supported accommodation, care homes and sheltered housing;
- vii. homes for people undertaking further and higher education; and
- viii. homes for other specialist groups such as service personnel.

d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.

e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:

- i. a higher contribution is justified by evidence of need, or
- ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.

The contribution is to be provided in accordance with local policy or guidance.

f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:

- i. the proposal is supported by an agreed timescale for build-out; and
- ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
- iii. and either:
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
 - the proposal is consistent with policy on rural homes; or
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or
 - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

Policy 17

a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:

- i. is on a site allocated for housing within the LDP;
- ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;
- iii. reuses a redundant or unused building;
- iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
- vi. is for a single home for the retirement succession of a viable farm holding;
- vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
- viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

b) Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account identified local housing needs (including

affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.

c) Development proposals for new homes in remote rural areas will be supported where the proposal:

- i. supports and sustains existing fragile communities;
- ii. supports identified local housing outcomes; and
- iii. is suitable in terms of location, access, and environmental impact.

d) Development proposals for new homes that support the resettlement of previously inhabited areas will be supported where the proposal:

- i. is in an area identified in the LDP as suitable for resettlement;
- ii. is designed to a high standard;
- iii. responds to its rural location; and
- iv. is designed to minimise greenhouse gas emissions as far as possible.

Adopted 2019 Local Development Plan Policies

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing and assessing development proposals, consideration must be given to the factors set out in Figure 3 and demonstrated in a design-led approach. 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 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 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 29 - Listed Buildings

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

Demolition of a listed building will not be permitted unless the building is no longer of special interest; it is clearly incapable of repair; or there are overriding environmental or economic reasons in support of its demolition. Applicants should also demonstrate that every reasonable effort has been made to secure the future of the building.

Policy 30 - Enabling Development

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

Adopted Planning Application Advice Note 3 on "Private and Public Open Space Provision in New Residential Development" applies.

Proposed 2021 Inverclyde Local Development Plan Policies

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing 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 Supplementary Guidance.

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: 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 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.

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:

- a) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- b) 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:

- a) provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, links to the wider walking, cycling network and public transport 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 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 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 through 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: BUILDINGS

- 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 21 - Wheelchair Accessible Housing

The Council will seek the provision of 5% wheelchair accessible housing on new build development sites of 20 or more units. Developers will be required to demonstrate that they have considered the demand for and provision of wheelchair accessible housing if they are seeking an exemption from this requirement.

Policy 29 - Listed Buildings

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

Demolition of a listed building will not be permitted unless the building is no longer of special interest; it is clearly incapable of meaningful repair; or there are overriding environmental or economic reasons in support of its demolition. Applicants should also demonstrate that every reasonable effort has been made to secure the future of the building as set out in national guidance.

Policy 30 – Enabling Development

Proposals for enabling development to support the restoration of listed buildings, including those listed in Schedule 9, will be considered favourably where it can be clearly shown to be the only means of preventing the loss of the listed building and securing its long-term future. Any enabling development is required to be the minimum necessary to achieve this aim, and the Council will not support enabling development where the scale of new building proposed is considered to outweigh the benefit of retaining the listed building. The resultant development is required to be designed and sited carefully to preserve or enhance the character and setting of the listed building. Further detail will be set out in the Council's Supplementary Guidance on Enabling Development which will form part of the assessment of any proposals.

Policy 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.

Draft Planning Application Advice Note 3 on "Private and Public Open Space Provision in New Residential Development" applies.

CONSULTATIONS

Head of Service – Roads and Transportation – advises the following:

- Parking should be provided in accordance with the National Guidelines based on the number of bedrooms per residential unit and visitor parking should be provided at 0.25 spaces per dwelling (unallocated).
- The dimension of the garages do not meet the National Guidelines and therefore cannot be considered to count in the parking provision, therefore each dwelling should have the parking provision within their boundary. The level of visitor parking meets the guideline requirements.
- The driveways should be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road.
- Driveways shall be a minimum of 3.0m by 5.5m and the gradient shall not exceed 10%.
- The visitor parking spaces shall be a minimum of 2.5m by 5.0m.
- All roads within the site shall be a minimum of 5.5m wide.
- The footpaths within the site shall be a minimum of 2.0m wide.
- The applicant shall provide evidence to the Roads Service that all roads have a gradient of 8% or less. This road does not appear to meet this standard.
- The applicant has demonstrated that a visibility splay of 2.4m x 43.0m x 1.05m can be provided from the main access onto Blacksholm Road.
- Traffic calming shall be provided within the development to allow the promotion of a 20mph speed limit.
- The turning heads within the site do not appear to comply with the dimensions provided in the National Roads Development Guide. The applicant shall redesign the layout accordingly for approval by the Roads Service.
- A Road Construction Consent will be required for all new roads, footways and footpaths.
- It is noted that the accesses to the existing site will be closed to vehicular traffic and it is not considered that a stopping up order is required.
- The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site. A system of lighting shall be kept operational at all times within the existing public adopted areas.
- All surface water during and after development is to be maintained within the site boundary, a field drain should be installed at the bottom of the slopes around the site to prevent any surface water flowing onto the road.
- Confirmation of connection to Scottish Water Network should be submitted for approval.
- The following conditions should be added to this the application if approved:
 - That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA

2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas.

- That all surface water originating within the site shall be intercepted within the site and the discharge shall be limited to that of greenfield run-off.
 - That prior to the commencement of development a detailed drainage design drawing shall be submitted to and approved in writing by the Planning Authority and this shall include details of the outfall to the river.
 - That prior to the commencement of development a maintenance regime for the surface water shall be submitted to and approved in writing by the Planning Authority.
 - That prior to the commencement of development, confirmation of connection to the Scottish Water Network shall be submitted for approval.
 - That prior to the commencement of construction, a full and detailed description of the sewage treatment facility which will service the proposed development of the former Balrossie home shall be submitted to and approved by the Planning Authority. The description must include a calculation of the estimated throughput, the type of treatment being undertaken, details of any discharge, its location and rate and a scale plan of the facility.
 - That none of the dwellings hereby permitted shall be occupied until the sewage treatment facility above becomes operational.
- Confirmation of SEPA acceptance and proof of CAR licence should be submitted for approval.

Head of Public Protection – advises of no comments in relation to Food & Health and Air Quality. Recommends conditions in relation to: Japanese Knotweed; a site investigation; containers to be used to store waste materials and recyclable materials produced on the premises; external lighting complying with Scottish Government Guidance; and sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations.

PUBLICITY

The application was advertised in the Greenock Telegraph on 17th February 2023 as there are no premises on neighbouring land and for development affecting the setting of a listed building.

SITE NOTICES

A site notice was posted on 17th February 2023 for development affecting the setting of a listed building.

PUBLIC PARTICIPATION

The application was subject to neighbour notification and two representations were received that object to the application. The grounds of objection are summarised as follows: increase in traffic and Blacksholm Road not being wide enough nor the road infrastructure being able to cope with the volume of traffic; increase in traffic resulting in increased accidents on local roads; and no local transport links nor well-kept/lit local paths directly to and from Kilmacolm.

Kilmacolm Civic Trust indicates they support the application strongly as this in combination with the other applications will bring life back to the currently very dreary, scruffy, dilapidated condition of the unused brownfield site. They comment the development will bring additional custom to the businesses and social services in Kilmacolm. They also comment that the people who will live in the development will not walk to the village but drive and question where they will park. They suggest that Inverclyde Council must expedite the process of deciding where a new public car park is to be built in the centre of Kilmacolm, and how it will be financed. They also suggest that the applicant makes a financial contribution towards the new public car park in the centre of the village.

ASSESSMENT

Although this application is to renew a previous planning permission 18/0077/IC this is still an application for planning permission. 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. Accordingly the application must be assessed against: National Planning Framework 4 (NPF4); the adopted Inverclyde Local Development Plan; the proposed Inverclyde Local Development Plan; the adopted and draft Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development"; the adopted and draft Supplementary Guidance on Enabling Development; Historic Environment Scotland's Policy Statement and the "Managing Change in the Historic Environment guidance note on "Setting"; the previous planning permission; the consultation responses; and the amenity impact of the proposal.

National Planning Framework 4

It is acknowledged that the site is located in the Green Belt however it is a brownfield site for which planning permission has previously been granted for 22 houses within the grounds. The principle of the new build houses had been accepted through the previous planning permission 18/0077/IC however since this was granted National Planning Framework 4 (NPF4) has been adopted by the Scottish Ministers on 13th February 2023.

The six overarching spatial principles in NPF4 are identified as:

Just transition. Empower people to shape their places and ensure the transition to net zero is fair and inclusive.

Conserving and recycling assets. Make productive use of existing buildings, places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy.

Local living. Support local liveability and improve community health and wellbeing by ensuring people can easily access services, greenspace, learning, work and leisure locally.

Compact urban growth. Limit urban expansion so as to optimise the use of land to provide services and resources, including carbon storage, flood risk management, blue and green infrastructure and biodiversity.

Rebalanced development. Target development to create opportunities for communities and investment in areas of past decline, and manage development sustainably in areas of high demand.

Rural revitalisation. Encourage sustainable development in rural areas, recognising the need to grow and support urban and rural communities together.

By applying these spatial principles the national spatial strategy is to support the planning and delivery of sustainable, liveable and productive places which are to be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring the environment.

Policy 7 c) of NPF4 is relevant and of particular importance to this application as it involves development that affects the setting of the listed buildings and is considered to be enabling development that is related to the renovation and alterations to the listed buildings to bring them

back into active use. In terms of whether the proposal preserves setting will be assessed in more detail later in this assessment.

Policy 8 of NPF4 relates to development in Green Belts and indicates support for the reuse, rehabilitation and conversion of historic environment assets subject to the following requirements being met:

- reasons are provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the Green Belt;
- the purpose of the green belt at that location is not undermined;
- the proposal is compatible with the surrounding established countryside and landscape character;
- the proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the Green Belt as far as possible; and
- there will be no significant long-term impacts on the environmental quality of the Green Belt.

The locational justification for the proposed development is considered to be a result of it being enabling development to facilitate the refurbishment and conversion of the three listed buildings on site. As the proposed development is within the existing grounds and is a brownfield site it is not considered that the purpose of the greenbelt at this location is undermined and the character of the wider landscape is not adversely affected. There will be a visual impact as a result of the development however this is considered to be localised and will be viewed in the context of the refurbished and converted listed buildings. This impact was considered acceptable in the assessment of the previous planning application and as this is to renew the previous planning permission this impact is considered to be the same as before. The proposed development is not considered to result in significant long-term impact on the environmental quality of the Green Belt. Of particular importance in assessing this application is that the proposed development is directly associated with the refurbishment and re-use of the listed buildings in order that they remain at this location. The development can therefore be considered in general terms to accord with the criteria in Policy 8 above.

Policy 9 of NPF4 indicates development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings will be supported. The proposed development accords with the terms of this policy by renovating and bringing listed buildings back into active use. Policy 14 a) of NPF4 indicates development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. The general appearance and condition of the buildings on site as well as the overgrown appearance of the grounds has a negative visual impact on the site and immediate surrounding area. As enabling development this proposal will allow the renovation of the existing listed buildings and bring them back into active use as residential units. This proposal can therefore be considered to accord with the general terms of Policy 14 a).

Policy 15 promotes local living, including where feasible 20 minute neighbourhoods, and Policy 16 focuses on delivering new homes that are designed to a high standard and located in sustainable places. Minimising and reducing emissions are also integral to the six qualities of successful places, as set out in Policy 14. This proposal, in conjunction with the dwellinghouses proposed in the separate planning applications 23/0019/IC and 23/0020/IC, include open space and a play area within the grounds. However the proposal does not create a 20 minute neighbourhood as other facilities and uses such as schools, shops, community halls, etc do not form part of the proposals. Notwithstanding the site being outwith the urban area of Kilmacolm it is not considered to be in a remote rural location and the various services, facilities and commercial premises located in Kilmacolm itself can be readily accessed through a variety of transport modes. The location of the development has to be balanced against the support expressed through other policies to reuse, rehabilitate and convert the listed buildings. The proposed development is considered to accord in general terms with Policies 14, 15 and 16 of NPF4.

Principle of the development at this Green Belt location

With the quashing of Chapter 7 of the adopted Local Development Plan there are currently no identified housing development sites.

Policy 18 of the proposed Local Development Plan relates to land for housing and indicates that new housing development will be supported on the sites identified in Schedule 3. The former Balrossie School as a whole is identified in Schedule 3 as a housing site with an indicative capacity of 64 units. The proposed 22 houses is within and part of the overall anticipated site capacity. The proposal therefore accords with Policy 18.

Policy 14 of the adopted Local Development Plan and Policy 15 of the proposed Local Development Plan are of particular relevance to this application and both indicate that development in the Green Belt will only be permitted if it is appropriately designed, located and landscaped, and (under criterion d) of both policies) is associated with the appropriate re-use of a redundant stone or brick building, the retention of which is which is desirable for its historic interest or architectural character, subject to that interest or character being retained. As the proposed houses are enabling development associated with the refurbishment and re-use of the three listed buildings at this location the proposal can be considered to accord with the terms of criterion d) of both policies.

Policy 30 of both the adopted and proposed Local Development Plans also relates to the principle of the proposed houses in this Green Belt location. Policy 30 requires that enabling development proposals secure the long term future of the listed building(s) to which they relate. It is not unusual for other development to be proposed alongside proposals to convert or refurbish listed buildings and for the works to be phased to allow finance to be generated through the enabling development before commencing the works to the listed building(s).

The Supplementary Guidance on Enabling Development associated with both the adopted and proposed Local Development Plans indicate that to comply with the policy requirements, enabling proposals should relate to a listed building(s) identified on the Buildings at Risk Register at the time of the application. All the listed buildings are in the Building at Risk Register and their conditions are indicated as being poor.

In the assessment of 18/0077/IC it was indicated that the applicant had submitted information showing that the proposed enabling new build development was the only means of preventing the loss of the listed buildings. Their condition had deteriorated to the extent that it was not financially feasible to simply restore and convert the buildings themselves. It was explained that the figures reflected what research indicated was development capable of being successfully marketed as family sized houses. The financial case was assessed and found to be acceptable. The figures indicated the level of new build housing as the minimum necessary to achieve this aim and the developer's phasing plan, based on the cash flow needed to be generated to convert and restore the listed buildings. The erection of the 22 houses, as part of enabling development, was considered acceptable in the assessment of the previous application 18/0077/IC.

The current application is again considered to be enabling development as it is linked to the conversion/refurbishment of the three existing listed buildings that have been applied for under 23/0020/IC and approved under 23/0002/LB. Updated financial information has not been submitted with the current application. Notwithstanding the current application is to renew a recent planning permission and the proposed number of houses and site layout are the same as approved under 18/0077/IC. The current application can therefore be again considered, in conjunction with the houses applied for under 23/0019/IC, to be the minimum necessary to achieve the aim of restoring the listed buildings.

It should be noted the previous planning permission included a condition related to the phasing of the development linked to when the restoration and completion of all works to the listed buildings were to be carried out. In particular the condition did not allow construction of the new houses to

start until the listed buildings had been secured and made wind and watertight. Thereafter the condition restricted occupation of the new houses until work had commenced and then been completed on the restoration and conversion of the listed buildings. If this planning application is approved it is considered necessary to attach a phasing condition on the same terms as before.

Proposed development layout and impact on the setting of the listed buildings.

In terms of placemaking principles the layout of the proposed development was considered acceptable in terms of the position of the houses in each plot and associated garden ground sizes, the roads layout, open space provision and access. Most notable was the common design themes between the houses, which respected the main listed buildings without seeking to pastiche them, and the intention to create a unified landscaping solution to provide a coherent development leading to a sense of place. Policy 1 of both the adopted and proposed Local Development Plans set out factors which contribute to successful places. As this is an application to renew the previous planning permission and the proposed site layout and house types have not changed the proposal is again considered to be acceptable when assessed against the relevant key factors of being distinctive, adaptable, resource efficient, easy to move around, safe and pleasant and welcoming. As such the proposal is also considered acceptable against the terms of Policy 14 of NPF4.



Photograph taken April 2020.

In terms of the impact on the setting of the listed buildings this was considered acceptable in the assessment of the previous application as it did not adversely impact upon the principal elevations or the main approaches to them. As this is an application to renew the previous planning permission and the proposed site layout and house types have not changed the proposal is again considered acceptable when assessed against Historic Environment Scotland's Policy Statement and the "Managing Change in the Historic Environment guidance note on "Setting". Balrossie House itself and the Annex building are considered to remain the focus of attention at the site. The extended Water Tower is located towards the centre of the development site although there is visual separation to the nearest proposed houses. As a result of this, and combined with the contrasting design of the extended Water Tower, results in the Water Tower being a feature building within the site and is considered to remain the focus of its setting. The proposal is again

considered to accord with the terms of Policy 29 of both the adopted and proposed Local Development Plans and is now also acceptable under Policy 7 c) of NPF4.

Impact on the landscape

Policy 34 of the proposed Local Development Plan indicates that 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. Bearing in mind that the proposed development is located within the grounds of Balrossie House and is a brownfield site it is not considered that there will be a significant impact on the wider landscape.

Tree removal and the potential impact on habitats

Policy 34 of the adopted Local Development Plan and Policy 35 of the proposed Local Development Plan set out the Council's support for the retention of trees. The trees at the site are not covered by a Tree Preservation Order. In the assessment of 18/0077/IC it was indicated that most mature trees were concentrated on the periphery of the wider development site, although tree removal would occur as a result of the proposed development. This was due to the position of the proposed houses but was also required as a matter of safety as the trees are largely mature specimens which would be within falling distance of the proposed houses. An arboricultural report had been submitted with the previous application and indicated that many of the trees to be removed were within the lowest category under British Standard classification, meaning that they are in such a condition that they could not be realistically retained as living trees in the context of the land for longer than 10 years. It was indicated that whilst the loss of any mature trees was regrettable it was considered on balance that the benefits of the proposal outweighed the loss of some trees. It was noted that the majority of the better condition trees to the northern part of the site are to be retained and that the applicant was committed to a replanting programme where trees were to be removed.

It is considered that as this an application to renew a previous planning permission that the removal of trees can again be accepted. It is however considered necessary for the trees to be re-surveyed to identify those that are to be removed and retained as the previous arboricultural report is dated October 2017. This can be addressed by a planning condition if this application is approved.

Development of the site and any proposed tree removal also has implications for wildlife and biodiversity. Policy 33 of both the adopted and proposed Local Development Plans relate to biodiversity issues and indicate that planning permission will not be granted for development that is likely to have an adverse effect on protected species. The application site is not a designated site and in the assessment of the previous application it was indicated that the applicant had commissioned a full range of surveys to address wildlife concerns, including protected species. These reports and the impact on wildlife were considered to be acceptable and the recommendations of the reports were addressed by a planning condition as well as requiring the recommendations to be implemented in full. It is however considered necessary for the site to be re-surveyed and for any mitigation measures to be proposed. This can be addressed by a planning condition if this application is approved.

Other relevant Local Development Plan policies

Turning to other policies that are relevant to the consideration of this application, Policy 6 of both the adopted and proposed Local Development Plans seeks to ensure that all new buildings are energy efficient and that at least 15% and 20% respectively of the carbon dioxide emissions standard (rising to at least 25% by the end of 2025) reduction set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. If planning permission is granted the requirement for low and zero carbon generating technologies can be addressed by a planning condition with the details submitted for further approval. This will also ensure compliance with the terms of Policies 1 and 2 of NPF4.

Policy 8 of the adopted Local Development Plan and Policy 9 of the proposed Local Development Plan relate the managing flood risk. Policy 9 of the adopted Local Development Plan and Policy 10 of the proposed Local Development Plan 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.

The site is not identified on the indicative Flood Risk maps produced by SEPA as being at risk from flooding. In order to manage surface water run-off the development at the overall site will be required to have a Sustainable Urban Drainage System (SUDS). The submitted application drawings indicate a new package waste water treatment plant is indicated adjacent to the new access off Balrossie Road and it is indicated this is to connect into the existing site drainage outfall. The specific details of the treatment plant have not been submitted with this particular planning application and it should be noted that the details were not submitted with the previous application 18/0077/IC. Notwithstanding, if planning permission is granted the details of the proposed waste water treatment plant as well as the surface water drainage/SUDS can be addressed by planning conditions with the details being submitted for further approval in writing. Planning permission 18/0077/IC contained conditions requiring these details to be submitted and this approach is consistent with the previous planning permission. Confirmation that the development can be connected to Scottish Water's infrastructure can also be addressed by a planning condition as it was on the previous planning permission.

Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan relate to promoting sustainable and active travel as well as the requirement for electric vehicle charging facilities. Development proposals, proportionate to their scale and proposed use, are required to provide safe and convenient opportunities for walking and cycling access with the site, and where practicable, include links to the wider walking and cycling network. The overall site plan for this proposal in conjunction with applications 23/0019/IC and 23/0020/IC includes a path network within the site as well as connecting to outwith the site at various points. These paths will provide connectivity and permeability within the site allowing internal movement as well as connecting directly to the Core Path Network outwith the site. This is considered to accord with the terms of Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan.

In terms of electric vehicle charging facilities the requirement would be one trickle charging point per house in this instance. This requirement can be addressed by a planning condition in order to comply with the terms of Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan as well as Policy 14 b) iv) of NPF4.

Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan relate to managing the impact of development on the transport network. The Head of Service – Roads and Transportation has not raised any objections regarding the impact of this development on the roads network. It is acknowledged that being in a Green Belt location outwith the built-up area of Kilmacolm, and not on a public transport route, there is likely to be a high dependency on the use of private transport. Ultimately it has to be considered if the relative lack of sustainable transport opportunities is of such material significance as to outweigh the benefits of bringing the listed buildings back into active use thereby ensuring their retention in the interests of the cultural heritage. In common with decisions previously made for development of this site it is considered that retention of the buildings outweighs the sustainable travel implications.

Based on what is shown on the application drawings it is considered that there is sufficient space within this application site to provide the requisite parking spaces for the proposed number of residential units. This has been confirmed by the Head of Service – Roads and Transportation. Should planning permission be granted planning conditions can be used regarding: the location of

the visitor parking spaces as advised in the consultation response; the required dimensions of the roads within the site, footpaths and parking spaces; the gradient of the roads within the site; the formation and maintenance of the visibility splays at the new vehicular access onto Blacksholm Road; and the details of traffic calming measures on the roads within the site. The proposal is therefore acceptable against the terms of Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan.

Policy 16 of the adopted Local Development Plan and Policy 17 of the proposed Local Development Plan relate to potentially contaminated land and indicate that 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. The Head of Public Protection has indicated soil/fill imported from an uninvestigated site was tipped between the two main buildings. This soil is likely to be contaminated with Japanese Knotweed rhizome and other contaminants may be present. Other contaminant sources within the application area include fuel storage, uncontrolled contaminant deposition from fires (i.e., asbestos, metals, PAHs, etc). The Head of Public Protection has recommended conditions relating to Japanese Knotweed and for a site investigation and these can be attached should planning permission be granted in order to accord with the terms of Policy 16 of the adopted Local Development Plan and Policy 17 of the proposed Local Development Plan as well as Policy 9 c) of NPF4.

As the buildings are derelict they have the potential for protected species, particularly bats, to be located in them. Policy 33 of both the adopted and proposed Local Development Plans indicate that an applicant should establish whether a protected species is present, identify how it may be affected and ensure the development is planned and designed so as to avoid or minimise such impact. Surveys had been carried out for the previous planning application with no bats being found within the buildings and a condition was attached to planning permission 18/0077/IC for the recommendations in the submitted Bat Hibernation Survey to be implemented in full, ie for various mitigation and good practice measures implemented during site works and construction. An updated protected species survey has not been submitted with the current planning application. It is however recognised that access to the site is currently restricted and therefore carrying out a survey for this particular planning application is likely to be difficult. If planning permission is granted it is however considered necessary for the site to be re-surveyed for protected species and for appropriate mitigation measures to be proposed if they are found. This can be addressed by a planning condition.

Policy 21 of the proposed Local Development Plan seeks the provision of 5% wheelchair accessible housing on new build development sites of 20 or more units. For this development the required wheelchair housing provision would be 1 unit. This policy was not in place when the previous planning application was being assessed and Policy 16 c) of NPF4 also now relates to this requirement. The required amount of wheelchair accessible houses associated with this proposal can be addressed by a planning condition.

Consultation Responses

In terms of other matters raised in the consultation responses that have not been considered above the following should be noted.

The advice from the Head of Service - Roads and Transportation regarding the requirement for a Roads Construction Consent and street lighting can be addressed by advisory notes.

With regard to other conditions recommended by the Head of Public Protection relating to external lighting and sound insulation are more appropriately addressed in advisory notes. The details of the bin stores can be addressed by a planning condition.

Representations

With regard to the objections that have been received the following comments are made. The concerns expressed about the capability of Blacksholm Road to handle the additional traffic likely to arise from this proposal and its impact are noted. However the Head of Service – Roads and Transportation has not raised concerns regarding the impact on the roads network.

With regard to the suggestion by the Kilmacolm Civic Trust regarding a financial contribution towards a car park within Kilmacolm the requirement for a car park would have to be as a direct result of the proposed development. Such a contribution is not considered necessary in this instance.

Procedural matters

It should be noted that since planning permission 18/0077/IC was granted changes have been made to Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) and these came into effect on 1st October 2022. Section 58 of the Planning Act relates to the duration of a planning permission. Section 58(1) specifies that where planning permission is granted it must be subject to a condition that the development to which the permission relates is to begin within:

- a) A three year time period beginning with the date on which the permission is granted; or
- b) Such other period, whether longer or shorter, as specified by the Planning Authority.

As such a condition relating to the duration of the planning permission is now required which was not on the previous planning permission 18/0077/IC.

It is considered necessary to include the same or similar conditions from the previous planning permission 18/0077/IC as well as additional conditions based on consultation responses and up-to-date development plan policies and guidance. In addition, conditions are required for updated reports/information, including re-surveys, to be submitted for approval in writing.

Overall Conclusion

In conclusion, this proposal is directly related to the separate planning application and listed building consent to bring the existing listed buildings back into use. Given the deterioration in the condition of the listed buildings since the previous planning permission was granted this may be the last opportunity to rehabilitate/refurbish the buildings. The proposal is considered to be acceptable when assessed against the relevant policies of National Planning Framework 4 as well as the adopted and proposed Local Development Plans. There are no material considerations that outweigh these policies and guidance.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. The development to which this permission relates must be begun within 3 years from the date of this permission.
2. Development shall not commence on site until a phasing plan linking the commencement of construction and the occupation of all new houses approved under this permission and that of planning permission 23/0019/IC to the restoration and completion of all works to the listed buildings as detailed in listed building consent 23/0002/LB, and including the front boundary gates and railings, has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt development shall not commence on construction of the approved new dwellinghouses until the listed buildings have been secured and made wind and watertight; the 23rd dwellinghouse hereby permitted or, cumulatively, permitted by planning permission 23/0019/IC shall not be occupied until work has commenced on restoration and conversion of the

listed buildings; and that the 6th last dwellinghouse hereby permitted or, cumulatively, permitted by planning permission 23/0019/IC shall not be occupied until work has been completed on the listed buildings as detailed in listed building consent 23/0002/LB.

3. Development shall not commence on site until samples of all facing materials to be used in the construction of the dwellinghouses hereby permitted have been submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter using the approved materials unless a variation is agreed in advance in writing with the Planning Authority.

4. Development shall not commence on site until all hard surfacing materials on the roads, paths and parking areas have been submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless any alternative is agreed in advance in writing with the Planning Authority.

5. Development shall not commence until details and the locations of all walls and fences to be erected have been submitted to and approved in writing by the Planning Authority. The approved walls and fences shall thereafter be erected unless any alternative is agreed in advance in writing with the Planning Authority.

6. Development shall not commence until full details of all soft landscaping within the site, including a phasing plan and details of management and maintenance arrangements, have been submitted to and approved in writing by the Planning Authority.

7. The landscaping scheme approved in terms of Condition 6 above shall be implemented in full in accordance with the agreed phasing plan. Any of the planting which is damaged, is removed, becomes diseased or dies within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species.

8. Development shall not commence until full details of the play area shown on drawing AL(0)010 Rev I, including details of management and maintenance arrangements, have been submitted to and approved in writing by the Planning Authority including a phasing plan for provision of the play area. The play area shall subsequently be fully provided in accordance with the approved phasing plan.

9. Development shall not take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the agreed programme.

10. Development shall not commence until 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.

11. 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.

12. Before the development hereby permitted is occupied the applicant/developer 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.

13. 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.

14. Development shall not commence until all the buildings have been re-surveyed for the presence of protected species and shall include mitigation measures and proposal for translocation if required. The re-survey shall be submitted to and approved by the Planning Authority and its recommendations shall be fully implemented during the construction of the development.

15. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development with all surface water originating within the site being intercepted within the site and the discharge shall be limited to that of greenfield run-off. Development shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the Planning Authority. The details to be submitted shall include: a field drain at the bottom of the slopes around the site to prevent any surface water flowing onto the road; the maintenance regime; and details of the outfall. Thereafter the surface water management details shall fully be implemented as approved before occupation of any residential unit approved under this planning permission.

16. Development shall not commence until details/plans of the "new packet waste treatment plant" as indicated on drawing AL(0)010 Rev I has been submitted to and approved in writing by the Planning Authority. The details to be submitted shall include: a calculation of the estimated throughput; the type of treatment being undertaken; details of any discharge, its location and rate; and a scale plan of the treatment plant. Thereafter the treatment plant shall be fully implemented as approved before occupation of any residential unit approved under this planning permission.

17. Development shall not commence until confirmation of connection to Scottish Water's Network has been submitted to and approved in writing by the Planning Authority.

18. For the avoidance of doubt: parking spaces shall be a minimum of 2.5m by 5.0m; the aisle within the car park at the main building shall be 6.0m; all roads within the site shall be a minimum of 5.5m wide; all roads within the site shall have a gradient of 8% or less; the footpaths within the site shall be a minimum of 2.0m wide.

19. For the avoidance of doubt visibility splays of 2.4m x 43.0m x 1.05m shall be maintained at all times at the new vehicular access with Blacksholm Road as shown on drawing AL(0)010 Rev I.

20. Development shall not commence until details of traffic calming measures for the roads within the development site to allow the promotion of a 20mph speed limit have been submitted to and approved in writing by the Planning Authority. Following approval the measures shall be fully implemented before occupation of any residential unit approved under this planning permission.

21. For the avoidance of doubt the turning heads within the site shall comply with the dimensions in the National Roads Development Guide for a residential development. The applicant shall redesign the layout accordingly for approval in writing by the Planning Authority.

22. Prior to the commencement of development confirmation of SEPA's acceptance and proof of CAR licence shall be submitted for approval.

23. The footpaths shown on drawing AL(0)010 Rev I linking the development to Blacksholm Road shall be provided prior to the occupation of the last of the dwellinghouses hereby permitted by the planning permission.

24. Development shall not commence until an updated survey of all trees on the site has been undertaken and the survey shall then be submitted to and approved in writing by the Planning Authority. This survey shall be displayed on a site layout plan and include an identification of existing tree species, an estimation of their height and spread of branches and their location within the site accurately plotted (any trees around the perimeter which overhangs into the site shall also be included). Those trees which are proposed to be felled or removed shall be separately identified. Thereafter any treeworks shall be implemented as approved.

25. The existing trees both within the development site and in the vicinity of the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012.

26. No tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive, and all such works will be preceded by a check for nesting birds in accordance with the Nature Conservation (Scotland) Act 2014 and the protection of wildlife. No development shall take place until details of protection measures have been submitted to and approved in writing by the Planning Authority.

27. For the avoidance of doubt 5% of the dwellinghouses hereby approved shall be wheelchair accessible houses. Development shall not commence until details of the wheelchair accessible houses have been submitted to and approved by the Planning Authority.

28. For the avoidance of doubt each dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until the details have been submitted to and approved in writing by the Planning Authority. Thereafter the approved Electric Vehicle Charging Point shall be installed in their approved form at each dwellinghouse before the first occupation of any dwellinghouse approved under this planning permission.

29. For the avoidance of doubt each dwellinghouse shall be designed to ensure that at least 25% 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. Development shall not commence until details have been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in each dwellinghouse. Thereafter the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of any dwellinghouse.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. To ensure that the provision of enabling development is linked to the restoration of the listed buildings.

3. To ensure the development is acceptable in appearance.

4. To ensure the development is acceptable in appearance.

5. To ensure the development is acceptable in appearance.
6. To ensure the provision of an adequate landscaping scheme in the interests of visual amenity.
7. To ensure retention of the approved landscaping scheme.
8. To ensure the provision of adequate play facilities.
9. In order to identify and protect any archaeological remains and to allow the Planning Authority to consider this matter in detail.
10. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
11. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
12. 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.
13. To ensure that all contamination issues are recorded and dealt with appropriately.
14. To establish whether protected species are present and to ensure that mitigation measures are appropriate in the interests of nature conservation.
15. To ensure the surface water drainage is acceptable at this location.
16. To ensure the provision of adequate sewerage arrangements.
17. To ensure Scottish Water's acceptance of the drainage regime for the application site and in the interests of the provision of a satisfactory drainage regime.
18. In the interests of roads safety.
19. In the interests of roads safety.
20. In the interests of roads safety.
21. In the interests of roads safety.
22. To ensure SEPA's acceptance of the drainage regime and its discharge.
23. In order to ensure the footpath links are provided.
24. To protect the existing trees so that they continue to contribute to the environmental quality of the area and soften the impact of the development.
25. To protect the existing trees so that they continue to contribute to the environmental quality of the area.
26. In the interests of wildlife protection.
27. To ensure the provision of wheelchair accessible housing.
28. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.

29. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.

Stuart Jamieson
Director, Environment & Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Sean Mc Daid on 01475 712412.