

Ref: CM

Date: 30 May 2023

A meeting of the Planning Board will be held on Wednesday 7 June 2023 at 3pm.

Members may attend the meeting in person or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Tuesday 6 June 2023 how they intend to access the meeting.

In the event of connectivity issues, Members are asked to use the *join by phone* number in the Webex invitation.

Information relating to the recording of meetings can be found at the end of this notice.

IAIN STRACHAN
Head of Legal, Democratic, Digital & Customer Services

BUSINESS

****Copy to follow**

1.	Apologies, Substitutions and Declarations of Interest	Page
2.	Planning Applications Report by Director, Environment & Regeneration on applications for planning permission as follows:	
(a)	Mr Ian Munro Proposed erection of industrial unit (Class 5) with ancillary industrial building (Class 5) comprising three units, formation of allotments and upgrading of public open space: Land to the West of the Industrial Units at Upper Cartsburn Street, Greenock (23/0007/IC)	p
(b)	Balrossie Homes Limited Erection of 22 new build houses with associated roads infrastructure and new package waste treatment plant (renewal of previous planning permission 18/0077/IC): Balrossie House, Blacksholm Road, Kilmacolm (23/0018/IC)	p
(c)	Balrossie Homes Limited Erection of 27 new build houses with associated roads infrastructure and new package waste treatment plant (renewal of previous planning permission 18/0076/IC): Balrossie House, Blacksholm Road, Kilmacolm (23/0019/IC)	p
(d)	Balrossie Homes Limited Conversion of existing Main Building, Annexe Building and Water Tower into residential units. Main Building - facade retention to North, South and East elevations with full reconstruction of west elevation, internal floor plates and roof, new windows throughout. Annexe Building - internal alterations and	p

repairs to suit new layout. Roof overhauled/reslated, new windows throughout. Water Tower Building - Existing ground floor walls retained with new upper floor construction to match existing (renewal of previous planning permission 17/0351/IC):

Balrossie House, Blacksholm Road, Kilmacolm (23/0020/IC)

The reports are available publicly on the Council's website and the minute of the meeting will be submitted to the next standing meeting of the Inverclyde Council. The agenda for the meeting of the Inverclyde Council will be available publicly on the Council's website.

Please note: this meeting may be recorded or live-streamed via YouTube and the Council's internet site, where it will be capable of repeated viewing. At the start of the meeting the Provost/Chair will confirm if all or part of the meeting is being recorded or live-streamed.

You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during any recording or live-streaming will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site or YouTube.

If you are participating in the meeting, you acknowledge that you may be filmed and that any information pertaining to you contained in the recording or live-stream of the meeting will be used for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public. In making this use of your information the Council is processing data which is necessary for the performance of a task carried out in the public interest. If you are asked to speak at the meeting then your submission to the committee will be captured as part of the recording or live-stream.

If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact the Information Governance team at dataprotection@inverclyde.gov.uk

Enquiries to – **Colin MacDonald** – Tel 01475 712113

Report To: The Planning Board

Date: 7 June 2023

**Report By: Director
Environment & Regeneration**

**Report No: 23/0007/IC
Plan**

**Local Application
Development**

Contact Officer: David Sinclair

Contact No: 01475 712436

**Subject: Proposed erection of industrial unit (Class 5) with ancillary industrial building (Class 5) comprising three units, formation of allotments and upgrading of public open space at
Land to the west of the industrial units at Upper Cartsburn Street, Greenock.**



SUMMARY

- The proposal raises no conflict with National Planning Framework 4.
- The proposal is a departure from the adopted and proposed Inverclyde Local Development Plan as the site is not identified for industrial development.
- The proposal accords with the adopted and proposed Inverclyde Local Development Plan in terms of the formation of allotments and upgrading of public open space.
- One representation has been received in support of the proposal.
- 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=ROMZ3WIMKLZ00>

SITE DESCRIPTION

The application site comprises an area of unmaintained public open space covering approximately 0.79 hectares located on the west side of Upper Cartsburn Street, Greenock. The site is relatively flat, with a slight decline to the north and an embankment along the western boundary. A public footpath runs through the site from south-east to north-west. A number of self-seeded juvenile and early-mature trees are located around the edges of the site and towards the south-east corner, ranging between 5 and 10 metres in height.

The site is bound by the Glasgow to Wemyss Bay railway line to the south, with open space beyond; an area of public open space and a bowling green to the west; a disused railway line to the north with industrial units beyond; and industrial units to the east across Upper Cartsburn Street. Boundary treatments include 2m high grey security railings along the north and south boundaries.

PROPOSAL

Planning permission is sought for the erection of two buildings and an external yard area for a Class 5 industrial use, the formation of an area for allotments and upgrading works to the existing public open space. The proposed industrial site will cover an area of approximately 0.29 hectares over the eastern section of the site, with the remaining two thirds being retained as open space. The middle section of the site is proposed to contain allotments covering approximately 0.13 hectares along the northern boundary, and the remaining 0.37 hectares is proposed to be retained as public open space.

The main industrial building is proposed to comprise a workshop and office, covering a footprint of approximately 700 square metres and is to be located towards the south-east corner of the site. A smaller building measuring 18m in width by 9m is to be located along the northern boundary and will be subdivided internally into three units. The remainder of the industrial site is to be topped with hardstanding and include areas for parking, waste, cycle parking and a storage yard. It is proposed to construct a 2.4m high palisade fence around the perimeter of the industrial yard. A 1.8m high timber fence is proposed to be constructed around the allotments.

The drawings indicate that the allotments are to be partitioned into twelve areas, ranging between 77 and 119 square metres in size. The drawings indicate the potential for outbuildings including sheds and greenhouses on the plots, however no details are provided confirming sizes, designs or materials for any associated allotment outbuildings.

A Flood Risk Assessment (FRA) and Drainage Strategy have been submitted as part of the application along with a Supporting Statement.

NATIONAL PLANNING FRAMEWORK 4 (NPF4)

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.

Policy 3

a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.

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 9

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.

Policy 12

c) Development proposals that are likely to generate waste when operational, including residential, commercial and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:

- i. provision to maximise waste reduction and waste separation at source, and
- ii. measures to minimise the cross contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

Policy 20

a) Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.

b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances.

Design will take account of existing provision, new requirements and network connections (identified in relevant strategies such as the Open Space Strategies) to ensure the proposed blue and/or green infrastructure is of an appropriate type(s), quantity, quality and accessibility and is designed to be multi-functional and well-integrated into the overall proposals.

d) Development proposals for temporary open space or green space on unused or under-used land will be supported.

e) Development proposals that include new or enhanced blue and/or green infrastructure will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these.

Policy 23

a) Development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food growing or allotments.

Policy 26

a) Development proposals for business and industry uses on sites allocated for those uses in the LDP will be supported.

c) Development proposals for business and industry uses will be supported where they are compatible with the primary business function of the area. Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area.

d) Development proposals for business, general industrial and storage and distribution uses outwith areas identified for those uses in the LDP will only be supported where:

- i. It is demonstrated that there are no suitable alternatives allocated in the LDP or identified in the employment land audit; and
- ii. The nature and scale of the activity will be compatible with the surrounding area.

e) Development proposals for business and industry will take into account:

- i. Impact on surrounding residential amenity; sensitive uses and the natural and historic environment;
- ii. The need for appropriate site restoration at the end of a period of commercial use.

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 development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 6 – Low and Zero Carbon Generating Technology

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

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

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

Policy 7 – Waste Reduction and Management

Proposals for waste management facilities will be supported where they:

- a) Support the national Zero Waste Plan and promote the waste hierarchy;
- b) Enable the management of waste closer to where it arises;
- c) Avoid significant adverse impact on the amenity and operations of existing and adjacent uses and the road network; and
- d) Avoid significant adverse impact on historic buildings and places and the green network and our natural and open spaces.

Where necessary, proposals should demonstrate how any site affected by the proposal will be fully restored through an appropriate aftercare programme and a financial guarantee to ensure its implementation.

Where applicable, the design and layout of new development must enable the separation, storage and collection of waste in a manner that promotes the waste hierarchy. Opportunities for integrating efficient energy and waste innovations within business environments will be encouraged.

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 26 – Business and Industrial Development Opportunities

Business, industrial, and storage or distribution uses (Class 4, 5 and 6) on the sites listed in Schedule 9 and shown on the Proposals Map, will be supported.

Policy 33 – Biodiversity and Geodiversity

Natura 2000 sites

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

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

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

When proposing any development which may affect a protect species, the applicant should fulfil the following requirements: to establish whether a protected species is present; to identify how the protected species may be affected by the development; to ensure that the development is planned and designed so as to avoid or minimise any such impact, while having regard to the degree of protection which is afforded by legislation, including any separate licensing requirements; and to demonstrate that it is likely that any necessary licence would be granted.

Local Nature Conservation Sites

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

Local Landscape Area

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

Non-designated sites

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

Policy 35 – Open Spaces and Outdoor Sports Facilities

Proposals for new or enhanced open spaces, which are appropriate in terms of location, design and accessibility, will be supported.

Development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

Outdoor sports facilities will be safeguarded from development except where:

- a) the proposed development is ancillary to the principal use of the site as an outdoor sports facility, or involves only a minor part of the facility and would not affect its use for sport and training;
- b) the facility to be lost is to be replaced by a new or upgraded facility of comparable or better quality, which is convenient for the users of the original facility and maintains or improves overall playing capacity in the area; or
- c) a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

Policy 36 – Delivering Green Infrastructure through New Development

The council supports the integration of green infrastructure into new development and will require green infrastructure to be provided in association with new development in accordance with the relevant Supplementary Guidance.

Policy 38 – Path Network

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

Where applicable, development proposals will be required to provide new paths in order to encourage active travel and/or connectivity to the green network. The provision of routes along water will be an essential requirement on development sites with access to a waterfront, unless not appropriate for operational or health and safety reasons.

PROPOSED 2021 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 and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

Policy 6 – Low and Zero Carbon Generating Technology

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

Other solutions will be considered where:

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

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

Policy 7 – Waste Reduction and Management

Proposals for waste management facilities will be supported where they:

- a) support the national Zero Waste Plan and promote the waste hierarchy;
- b) enable the management of waste closer to where it arises;
- c) avoid significant adverse impact on the amenity and operations of existing and adjacent uses and the road network; and
- d) avoid significant adverse impact on the resources protected by the Plan's historic buildings and places and natural and open spaces chapters.

Where necessary, proposals should demonstrate how any site affected by the proposal will be fully restored through an appropriate aftercare programme and a financial guarantee to ensure its implementation.

Where applicable, the design and layout of new development must enable the separation, storage and collection of waste in a manner that promotes the waste hierarchy. Opportunities for integrating efficient energy and waste innovations within business environments will be encouraged.

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.

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, including 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 26 – Business and Industrial Development Opportunities

Business, industrial, and storage or distribution uses (Class 4, 5 and 6) on the sites listed in Schedule 8 and shown on the Proposals Map, will be supported.

Policy 33 – Biodiversity and Geodiversity

European sites

Development proposals that are likely to have a significant effect on a European site which are not directly connected with or necessary to their conservation management must be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site either during construction or operation of the development, or if:

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

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

When proposing any development which may affect a protected species, the applicant should fulfil the following requirements: to establish whether a protected species is present; to identify how the protected species may be affected by the development; to ensure that the development is planned and designed so as to avoid or minimise any such impact, while having regard to the degree of protection which is afforded by legislation, including any separate licensing requirements; and to demonstrate that it is likely that any necessary licence would be granted.

Local Nature Conservation Sites

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

Non-designated sites

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

Policy 36 – Safeguarding Green Infrastructure

Proposals for new or enhanced open spaces, which are appropriate in terms of location, design and accessibility, will be supported.

Development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

Outdoor sports facilities will be safeguarded from development except where:

- a) the proposed development is ancillary to the principal use of the site as an outdoor sports facility, or involves only a minor part of the facility and would not affect its use for sport and training;
- b) the facility to be lost is to be replaced by a new or upgraded facility of comparable or better quality, which is convenient for the users of the original facility and maintains or improves overall playing capacity in the area; or
- c) a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

Policy 37 – Delivering Green Infrastructure Through New Development

Green infrastructure provision should be informed by an appraisal of the existing natural features and eco systems services on and in close proximity to the proposed development site and fully incorporated into the wider design process at an early stage, in line with the approach to be set out in the Supplementary Guidance on Green Infrastructure.

Development proposals are required to provide open space in line with the standards to be set out in Supplementary Guidance on Green Infrastructure. The Supplementary Guidance will also set out circumstances under which off-site provision or a developer contribution towards green infrastructure will be provided.

Where opportunities exist, development proposals will be required to provide new paths linking to the active travel network. The provision of routes along water will be an essential requirement on development sites with access to a waterfront, unless not appropriate for operational or health and safety reasons.

Development proposals are required to demonstrate how naturalised features will be incorporated into SuDS provision, in order to provide additional benefits such as habitat creation and open space. Where a Suds proposal forms part of open space provision, it should be made safe and accessible.

The Supplementary Guidance on Green Infrastructure will set out how biodiversity enhancement can be incorporated into new developments, and the circumstances in which provision will be expected.

Green infrastructure proposals should be supported by information on how long term management will be achieved, including maintenance requirements, who will be responsible for meeting these requirements, and how they will be funded.

CONSULTATIONS

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

- The parking requirements details in the National Roads Development Guide for Class 5 is 1 space per 50sqm. There are 3 smaller units of 55 sqm each and a large unit of 683sqm. Therefore the parking requirement is 17 parking spaces. This should include a minimum of 2 disabled bays. The proposed parking meets this requirement.
- Parking bays to be 2.5m x 5.0m with minimum 6m aisle spacing. The parking provided meets this requirement.
- Disabled parking bays to have 1m clearance around 2.9m x 5.5m. The parking provided meets this requirement.
- Pedestrian access and routes through the site should be demonstrated and they should be a minimum of 2m wide. The route within the site meets this requirement.
- The cycle parking requirements detailed in the National Roads Development Guide for Class 5 is 1 space per 250sqm for staff and 1 space per 500sqm for visitors. For 848sqm this is 4+2=6 spaces. The proposed cycle parking meets this requirement.

- The tracking drawings provided are acceptable.
- The applicant has demonstrated that they can achieve a visibility splay of 2.4m x 43.0m x 1.05m from the access. The fence should remain outside the visibility splay.
- There is no parking standard provided for allotments within the National Roads Development Guide, however, it is reasonable that those using the allotments may arrive by car with plant and tools. It is therefore recommended that the applicant provide a minimum of 2 parking spaces close to the path leading to the allotments. The applicant should show they can achieve a visibility splay of 2.0m x 20.0m x 1.05m from the parking spaces on to Upper Carlsburn Street.
- The path from Upper Carlsburn Street to Wellington Park should be a minimum of 3.0m wide to accommodate both pedestrians and cyclists. This should be retained in perpetuity. The path should be lit.
- FRA and Drainage Strategy are acceptable and both have been independently checked and verified.
- Drainage strategy and drawings are acceptable.
- All surface water flows are to be contained within the site. It is noted from drawing 1037962 that proposed flow paths to the east of the site flow onto the public road network whereas the existing flow paths at the same location flow away from the public network. Please clarify how these flow paths are to be dealt with at the development boundary. Green-field run-off rate is achieved by hydro-brake flow control before discharging to the surface water network which is acceptable.
- It is noted from the FRA that the PDE has been submitted and is awaiting a response (FRA to be updated accordingly). Approval of connection to Scottish Water network for discharge flows to be submitted when obtained.
- A Section 56 Agreement will be required for any changes to the public road network.

Head of Public Protection and Covid Recovery – Advises the following:

There is a food growing/allotment element appearing in the supporting statement submission. Whilst the site has undergone only minor development, its proximity to industrial activity and informal waste disposal in the area should not be overlooked. A site investigation with targeting of sample/analysis of soil that might be used for food growing.

- That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation. This is recommended to help arrest the spread of Japanese Knotweed in the interests of environmental protection.
- That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation. This is recommended to satisfactorily address potential contamination issues in the interests of human health and environmental safety.
- That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness. This is recommended 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.

- That the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority. This is recommended to ensure that all contamination issues are recorded and dealt with appropriately.
- The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the development shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place. This is recommended to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.
- All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption". This is recommended to protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.
- Advisory notes are recommended with regard to site drainage; Construction (Design & Management) Regulations 2015 (CDM 2015); surface water; and the design and construction of buildings relating to gulls.

Network Rail – No objections in principle. Due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as advisory notes, if granting the application:

All construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

Scotia Gas Networks – An enquiry has been undertaken via the 'line search before you dig' portal which produced a map indicating that no gas pipelines intercept the application site.

The response noted that the plan provided only shows the pipes owned by SGN as a Licensed Gas Transporter (GT). Privately owned gas pipes or ones owned by other GTs may be present in the area and information regarding those pipes needs to be requested from the owners.

PUBLICITY

The application was advertised in the Greenock Telegraph on 27th January 2023 as there being are no premises on neighbouring land and the proposal is a departure from the development plan.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. One representation was received in support of the application both in terms of necessary expansion and the provision of new jobs.

The representation comments that the design to fully integrate with the surroundings and the provision of community growing space is welcomed and would be transformed to an attractive commercial site that will enhance the surrounding area.

ASSESSMENT

The application is a Local Development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The material considerations in determination of this application are the National Planning Framework 4 (NPF4); the adopted 2019 Inverclyde Local Development Plan (LDP); the proposed 2021 Inverclyde Local Development Plan (LDP); the Supplementary Guidance note on Energy; and the consultation responses.

National Planning Framework 4

The site is a greenfield site within the existing urban area and requires consideration under Policies 1, 2, 3, 9, 20 and 23 of NPF4. As the proposal is for a mixed-use development with part of the site being developed for an industrial use, Policies 12 and 26 of NPF4 also require consideration. Policy 1 of NPF4 requires consideration of the global climate and nature crises to be given to all development. Policy 2 of NPF4 requires proposals to be sited and designed to minimise lifecycle greenhouse gas emissions and to be able to adapt to current and future risks from climate change. Policy 3 of NPF4 requires the impacts on biodiversity and the natural environment to be considered.

Policy 9 of NPF4 supports the redevelopment of brownfield sites. As the site is greenfield the proposal is at variance with this policy. Policy 23 of NPF4 identifies that development proposals which have positive effects on health, including proposals that incorporate opportunities for exercise, community food growing, or allotments will be supported. The proposal includes the provision of new allotments which Policy 23 considers having positive benefits on the health of the local populace. The proposal therefore accords with Policy 23 of NPF4.

Policy 26 of NPF4 states that proposals for industrial uses outwith areas identified for those uses in the LDP will only be supported where it is demonstrated there are no suitable alternatives allocated in the LDP and the nature and scale of the activity is compatible with the surrounding area. Further consideration is required in terms of impacts on residential amenity, sensitive uses and the natural and historic environment. The supporting statement submitted indicates that the proposed industrial building is required for the expansion of an existing local business and that there are no suitable alternatives allocated in the LDP, with the business having pursued three alternative sites for relocation, all of which were ultimately deemed unsuitable. In terms of the nature and scale, the proposal is in close proximity to other industrial uses to the east of the site. There are further industrial uses to the north of the disused railway line which runs along the north of the site. The proposal can therefore be considered to be generally compatible with the surrounding area. The proposed buildings are similar in scale to neighbouring industrial buildings and can be considered to be appropriately designed for the site. The proposed layout can be considered to reflect the urban form of the area. The site is not in close proximity to any residential areas or other sensitive uses and is not in close proximity to any historically significant buildings or sites and can be considered acceptable in this regard.

In terms of Policies 1, 2, 3, 12 and 20, further assessment is required alongside local policy to determine whether the proposal can be implemented in a sustainable manner.

Local Policy

The site is identified in both the adopted and proposed LDPs as being within an area designated as open space and requires to be assessed against Policies 1 and 35 of the adopted LDP and Policies 1 and 36 of the proposed LDP. As the application is for the provision of a new industrial site, Policy 26 of both LDPs require consideration. The proposal involves the construction of new buildings which require consideration under Policy 6 of both LDPs. Policy 7 in both LDPs requires assessment as the proposal includes the provision of new provision of a new building which will generate waste and recyclable materials. Policy 8 in the adopted LDP

and Policy 9 of the proposed LDP require flood risk to be considered and Policy 9 of the adopted LDP and Policy 10 of the proposed LDP are relevant as the proposal is for new development which will require surface water to be drained. Policies 10 and 11 of the adopted LDP and Policies 11 and 12 of the proposed LDP are relevant as the proposal will result in an increase in pedestrian and vehicular traffic in the area. Policy 38 in the adopted LDP is also applicable to assess accessibility of the site for pedestrians and cyclists. In terms of the impacts on biodiversity and green infrastructure Policies 33 and 36 of the adopted LDP and Policies 33 and 37 of the proposed LDP require consideration.

The relevant qualities to this application in Policy 1 of both LDPs are: 'Distinctive' through reflecting local architecture and urban form, using native species in landscaping and creating habitats for native wildlife; 'Resource Efficient' through making use of existing buildings and previously developed land, incorporating low and zero carbon energy-generating technology and providing space for the separation and collection of waste; 'Easy to Move Around' by being well connected and recognising the needs of pedestrians and cyclists; 'Safe and Pleasant' by avoiding conflict with adjacent uses, avoiding creating spaces that are unsafe, incorporating appropriate lighting, minimising the impact of traffic and parking on the street scene and incorporating green infrastructure and providing links to the green network; and 'Welcoming' by integrating new development into existing communities and creating attractive and active streets.

The proposed site is neither in Schedule 9 of the adopted LDP nor in Schedule 8 of the proposed LDP and is at variance with Policy 26 of both LDPs. The proposal also does not make use of existing buildings or previously developed land and as such, cannot be considered to be "Resource Efficient" in this regard.

Open Space and Green Network

In considering Policy 33 and the impacts of the proposal on biodiversity and geodiversity, the site is identified as a non-designated site in both LDPs. I note that the proposed site is currently naturally regenerated, providing informal habitat networks to the nearby green areas. A more manicured open space and allotments would result in the loss of some natural regeneration but the fact that two thirds of the site would remain as open space would still provide habitat opportunities. In considering the impacts of tree removal, whilst acknowledging that a number of trees will require to be removed to accommodate the proposal, I consider that the site is of a scale that would be able to support the proposal along with an appropriate replanting scheme which would maintain the existing level of tree coverage across the site. The site does not contain any notable or veteran trees which would warrant retention as part of any planning permission granted for the proposal. I consider that the provision of replacement trees for ones removed can be addressed as part of a landscaping scheme. Any replacement trees should be native species as these are best suited for enhancing the overall biodiversity of the site and creating a suitable habitat for native wildlife, in accordance with the quality of being 'Distinctive' in Policy 1 of both LDPs. I consider this matter can be addressed by a planning condition should planning permission be granted.

Taking this into consideration, I conclude that the proposal can be implemented in a manner which has a positive impact on biodiversity and geodiversity and therefore can be considered in accordance with Policy 33 of both LDPs. As the proposal can be implemented in a manner which will allow for any biodiversity loss from the industrial development to be offset within the remaining green space within the site, it can be considered to accord with the requirements of Policy 3 of NPF4. As the proposal is considered to have an acceptable impact on the natural environment, it also stands to accord with Policy 26 of NPF4.

In considering Policy 35 of the adopted LDP and Policy 36 of the proposed LDP, whilst there would be a loss of amenity of open space contrary to these Policies, there would be an improvement in the quality of the remaining open space on the site with additional community benefits made through the provision of allotments which would help to negate the loss of open space. The existing situation means that the development would not result in the loss of any recreational areas or sports facilities from the reduction in available open space on the site. The proposal has been designed in a manner which does not result in the fragmentation of adjoining

green space areas and allows for the overall integrity of the green network to be preserved, in accordance with criterion a) of NPF4, Policy 20.



View facing west across the site taken from the north-east corner of the site.

Policy 36 of the adopted LDP and Policy 37 of the proposed LDP seek to deliver green infrastructure through new development. The development of two thirds of the site with upgraded open space and the upgrading of the existing footpath through the site for walking and cycling along with an appropriate landscaping scheme would satisfy this requirement. The proposal would meet the quality of being 'Safe and Pleasant' in terms of incorporating green infrastructure and providing links to the green network. The enhancement of the remaining green space as an area which can be used by local residents is in accordance with criterion b) of NPF4, Policy 20 and the provision of allotments on unused open space accords with criterion d) of NPF4, Policy 20. The proposal can also be considered to meet the quality of being 'Welcoming' in Policy 1 of both LDPs through creating attractive and active streets. Regarding the management and maintenance of the open space (criterion e) of NPF4, Policy 20), this matter can be secured by condition of the grant of any planning permission. Based on the above, the proposal I consider the proposal accords with the relevant criteria in Policy 20 of NPF4.

Based on the above, I consider that in terms of the global climate and nature crises, the proposal is for a small scale industrial development for an existing local business which would allow them to continue serving an existing local client base in a manner which would have a lesser impact on the global climate than if they had to relocate further afield. The proposal is sited in a sustainable location and can be implemented utilising green technologies which would minimise any negative effects of development. As such, I consider the proposed to accord with Policy 1 of NPF4.

Design and Layout

In considering the proposed layout and design and whether this reflects local architecture and urban form, the positioning of the industrial buildings within the eastern portion of the site locates them in close proximity to neighbouring industrial buildings on Upper Cartburn Street and the positioning of the allotments and remaining open space over the western two-thirds of the site allows them to adjoin Wellington Park and the neighbouring areas of undeveloped open space. I consider the proposed layout to be best suited to reflect the surrounding areas and to reflect the urban form of the area, in accordance with the quality of being 'Distinctive'.

In terms of design, the industrial buildings are to be finished with buff facing brick, grey powder coated aluminium roof cladding with blue trims and blue sectional roller doors, all of which are finishing materials which would be expected for this type of development, with the blue finishes reflecting the blue panelling on the unit directly opposite the site. The main building is to be similar in size to neighbouring industrial units and will not appear excessive in height relative to its surroundings. The proposed design is symmetrical on the rear and both sides and with the exception of the office door on the north-east facing front elevation, has a symmetrical frontage. The use of matching materials and finishes on the ancillary building and the symmetrical design results in a cohesive design which I consider provides a balanced appearance.

In considering boundary treatments, the choice of palisade fencing around the industrial site reflects the palisade fencing in use around other industrial sites on Upper Cartsburn Street, including the neighbouring vehicle repair business directly opposite and can be considered appropriate for this type of development.

Flooding and Drainage

With respect to flooding and drainage, the site is not identified on the indicative Flood Risk maps produced by SEPA as being at risk from river or coastal flooding. The eastern part of the site contains areas identified on the Flood Risk maps as being at risk of surface water flooding. In this respect, the applicant has submitted a Flood Risk Assessment (FRA) which demonstrates that the proposed site is not at risk of flooding or increasing flood risk to other nearby sites and will not impact on the functionality or storage capacity of the flood plain, therefore it raises no conflicts in terms of Policy 8 of the adopted Plan and Policy 9 of the proposed Plan, and will be able to adapt to impacts of climate change, in accordance with criterion b) of NPF4, Policy 2.

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). In respect of this, the applicant has submitted a Drainage Strategy and associated drawings. The Head of Service – Roads and Transportation, within her capacity as Flooding Officer, raises no objections to the proposal in terms of flooding or drainage issues for the site, advising that the proposed use of hydro-brake flow control to limit surface water run-off to greenfield levels is an appropriate solution to address surface water run-off rates. The requirement for surface water to be contained within the site can be addressed by condition along with the requirement for approval of a suitable connection to Scottish Water Network. On this basis I conclude that the proposal accords with Policy 9 of the adopted LDP and Policy 10 of the proposed LDP.

Low carbon infrastructure

In order for the proposal to meet the quality of being 'Resource Efficient', it needs to incorporate low and zero carbon energy-generating technology. Policy 6 of both LDPs requires all new buildings to be designed to ensure the carbon dioxide emissions reduction standard set by the Scottish Building Standards is met through the installation and operation of low and zero carbon energy generating technologies. I am content this matter can be satisfactorily addressed by a planning condition to ensure this requirement is met, in accordance with Policy 6 of both LDPs and to meet the quality of being 'Resource Efficient' in this regard.

Policy 10 of the adopted LDP and Policy 11 of the proposed LDP requires proposals to include electric vehicle charging infrastructure, having regard to the requirements in the Supplementary Guidance on Energy. The guidance note on Energy identifies electric vehicle charging points are only required for this type of development where a travel plan is required to be submitted for the site. The Head of Service – Roads and Transportation has not considered the proposal to be of a scale that would require a travel plan and as such, has excluded this requirement from their consultation response. As the proposal has not been identified as requiring a travel plan, it can be considered acceptable with regard to the guidance note on Energy. I consider the proposal can be designed to incorporate the required levels of low and zero carbon energy-generating technology and therefore it stands to meet the quality of being 'Resource Efficient', as well as complying with Policy 10 of the adopted LDP and Policy 11 of the proposed LDP in

this regard. The provision of low and zero carbon energy-generating technology will assist in minimising the overall lifecycle greenhouse gas emissions, in accordance with Policy 2 of NPF4.



View facing east from the centre of the site facing towards where the industrial element of the proposal is to be sited.

Transport and Connectivity

With regard to traffic, parking and road safety, I will assess these against Policy 11 of the adopted LDP and Policy 12 of the proposed LDP and whether the proposal meets the quality of being 'Safe and Pleasant' in terms of minimising the impact of traffic and parking on the street scene. In considering these matters I note the advice given by the Head of Service – Roads and Transportation with regard to off-street parking. Following further discussions with the applicant, they have submitted revised drawings which demonstrate that the 17 off-street parking spaces required can be provided within the industrial unit, inclusive of two disabled parking bays and that two off-street parking spaces can be provided outwith the industrial site adjacent to the public footpath for use by persons accessing the allotments. The drawings also demonstrate that required levels of cycle parking provision and pedestrian access can be safely met within the site. These have been confirmed as satisfactory by the Head of Service – Roads and Transportation. The provision of the parking spaces indicated can be addressed by planning conditions to ensure suitable parking is provided for all users and that the impacts of vehicles using the site in terms of traffic and parking are minimised.

Regarding the new access which is to be formed, the applicant has submitted drawings showing visibility splays and vehicle tracking for delivery vehicles to satisfaction of the Head of Service – Roads and Transportation. The provision and retention of these on site can be secured by condition. The Head of Service – Roads and Transportation has also confirmed suitability of the upgrading works to the public footpath for both pedestrians and cyclists. Furthermore, the drawings indicate that lighting will be provided along the footpath, which I consider will make the area safer for persons using the footpath during hours of darkness, making the space safer than the existing situation and meeting the quality of being 'Safe and Pleasant' through avoiding creating spaces that are unsafe or likely to facilitate anti-social behaviour or crime. The provision of the upgraded footpath with associated lighting can be secured by means of condition. The requirement for a Section 56 Agreement is more appropriately addressed under legislation controlled by the Head of Service – Roads and Transportation. This matter can be addressed by an advisory note on any grant of planning permission. Based on the above assessment, I consider that the proposal complies with Policy

11 of the adopted LDP and Policy 12 of the proposed LDP and will have an acceptable impact on traffic and parking on the street scene, as required to meet the quality of being 'Safe and Pleasant' in Policy 1 of both LDPs.



View along the existing footpath facing west taken from the centre of the site.

In considering whether the proposal meets the quality of being 'Easy to Move Around', the site is well connected by public transport nodes, with the nearest bus stops being within 400m of the site on Ingleston Street. The nearest railway link at Whinhill Station is around 300m from the access path to the open space and around 350m from the entrance to the proposed industrial unit. The proposed upgrading of the footpath through the site will provide improved opportunities for walking and cycling across the site. Overall, I consider the proposal meets the quality of being 'Easy to Move Around'.

In considering Policy 10 of the adopted LDP and Policy 11 of the proposed LDP, although the site is not in close proximity to the core path network, the provision of an upgraded footpath running through the open space element of the development would meet the requirement for the provision of walking and cycling opportunities and provide links to the wider network affording pedestrian access between the site and Drumfrochar Road and Wellington Park to the west. The applicant has submitted revised drawings which indicate that the minimum width of the footpath will comply with the advice from the Head of Service – Roads and Transportation and that lighting columns are to be installed along the footpath, also in line with the advice from the Head of Service – Roads and Transportation. This will improve walking and cycling opportunities through the site and encourage greater use of the public open space area. Upgrading of the footpath can be secured by a condition on the grant of any planning permission to ensure public access is afforded at all times.

The proposal seeks to retain and upgrade the existing footpath which runs through the site and therefore is considered to accord with Policy 38 of the adopted LDP. The proposal will improve walking and cycling opportunities through the site and therefore accords with Policy 10 of the adopted LDP and Policy 11 of the proposed LDP.

Other matters raised in consultation responses

Turning to other matters raised in the consultation responses not yet addressed, I note the consultation response from the Head of Public Protection and Covid Recovery raises no objections to the proposal. He has advised conditions in respect of a survey to be carried out for

Japanese Knotweed, an Environmental Investigation and Risk Assessment to be carried out before development commences, with a Remediation Scheme put in place in order to identify and address potential contamination issues, as well as a report to be submitted upon completion to ensure no contamination is brought onto the site. I concur with his recommendations in respect of the above advice and consider that these matters can be addressed by means of conditions.

I note the advice given regarding the potential for food growing within the allotments and for the environment investigation to be carried out in a manner which specifically includes sampling and analysis of soil which might be used for food growing. The advice given in relation to the Environmental Investigation is that this will be site specific and undertaken in the context of the proposed development, which will ensure that this matter can be addressed under the condition advised.

The other conditions requested relating to waste storage and external lighting are matters most appropriately controlled by advisory notes together with the other advisory notes recommended by the Head of Public Protection and Covid Recovery, however I note that the applicant has indicated an area on the site plan for waste and recycling storage to be accommodated, meeting the quality of being 'Resource Efficient' in Policy 1 of both LDPs through providing space for the separation and collection of waste at source. This also accords with Policy 12 of NPF4 and Policy 7 of both LDPs. On balance, despite not making use of an existing building or previously developed land, the proposal meets all other factors to be considered 'Resource Efficient' and as such, I consider it to meet this quality.

In terms of being 'Safe and Pleasant', I consider that the proposal can be implemented without creating conflict with adjacent uses in terms of noise; smell; vibration; dust; air quality; flooding; invasion of privacy; or overshadowing. In line with my previous assessment, the proposal will also avoid creating unsafe spaces, incorporate appropriate lighting, minimise impacts on traffic and parking and incorporate green infrastructure and provide links to the green network. It stands that the proposal meets all relevant factors to be considered 'Safe and Pleasant'. Taking into account all of the above assessment, I consider that the proposal can be successfully integrated into the existing area and as such stands to meet the quality of being 'Welcoming'. As the proposal is considered to meet all relevant qualities of successful places and accord with the relevant supplementary guidance, it stands to accord with Policy 1 of both LDPs.

I note the comments received from Network Rail and concur that these can be addressed by an advisory note should planning permission be granted.

Conclusion

In summary, the construction of an industrial unit and ancillary buildings on a site designated as open space is contrary to Policy 35 of the adopted LDP and Policy 36 of the proposed LDP were it not for the inclusion within the proposal of the open space and allotments to replace the current amenity open space which provides an informal green space in the area. The development would also formalise the footpath that runs through the site, improving access for a wider range of users.

There are established business and industry uses around the site, therefore the proposed use would be compatible with the character of the surrounding area. The development of this site would allow a local business to stay within the authority area and retain jobs locally whilst using only one third of the site. The development of the open space should not though, be something that is seen as temporary, and which could be removed if it was decided that a further extension of the business was necessary in the future.

It would also be important to ensure the open space and allotments elements of the development are carried out alongside the construction of any industrial building to ensure that it is not a case of the building getting completed and then the open space and allotments not following. The provision of an enhanced area of open space is a major reason for the proposal being acceptable and I consider that this matter can be secured by condition to ensure that the proposed industrial development does not operate without these works being implemented.

In conclusion, the proposal can be supported under Policies 1, 2, 3, 12, 20, 23 and 26 of NPF4, Policies 1, 6, 7, 8, 9, 10, 11, 33, 36 and 38 of the adopted LDP and Policies 1, 6, 7, 9, 10, 11, 12, 33 and 37 of the proposed LDP. It is the case, however, that the proposal as submitted cannot be supported under Policy 9 of NPF4 and cannot be considered to accord with Policies 26 and 35 of the adopted Local Development Plan and Policies 26 and 36 of the proposed Local Development Plan.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Having assessed the proposal, I conclude that although the proposal does not accord with the Policies on business and industrial development opportunities and on open space in both the adopted and proposed LDPs, there are material considerations which indicate that the proposal can be supported at this location. The proposal will be sited in close proximity to other business and industrial uses and will present new opportunities for local employment through the growth of local business and will allow for an existing local employer to remain within the local area. The proposal will also provide enhanced opportunities for recreational use of the remaining open space which would add value to this area of public open space and offset the loss of part of the existing open space for the industrial development.

Overall, I consider there to be material considerations to this proposal which would outweigh the fact that the proposal does not accord with all relevant Development Plan Policies. In line with Section 25 of the Town and Country Planning (Scotland) Act 1997, I conclude that planning permission should be granted, subject to conditions.

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. For the avoidance of doubt, the allotments hereby approved shall be completed and ready for use prior to the first occupation of any building on site.
3. Prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.
4. 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. For the avoidance of doubt, this shall include a site investigation which includes sample/analysis of soil that might be used for food growing. 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.
5. Before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as

fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.

6. 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. This is recommended to ensure that all contamination issues are recorded and dealt with appropriately.
7. The industrial buildings hereby permitted shall be designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by the Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 25% by the end of 2025). Details showing how this shall be achieved shall be submitted to and approved in writing by the Planning Authority prior to the erection of the buildings.
8. The industrial buildings hereby permitted shall not be occupied until the 19 car parking spaces shown in approved drawing ST-001, Revision B have been provided. The 19 parking spaces shall be retained on site at all times thereafter unless otherwise agreed in writing by the Planning Authority.
9. Car parking spaces shall be a minimum of 5 metres long by 2.5 metres wide with an aisle spacing of a minimum of 6 metres.
10. Disabled car parking spaces shall be a minimum of 5.5 metres long by 2.9 metres wide with a 1 metre clearance.
11. The industrial buildings hereby approved shall not be occupied until the 6 cycle hoops shown in approved drawing ST-001, Revision B have been provided. The 6 cycle hoops shall be retained on site at all times thereafter unless otherwise agreed in writing by the Planning Authority.
12. For the avoidance of doubt, the 3 metre wide public footpath and the lighting columns as shown on drawing number ST-001, Revision B between Upper Cartsburn Street and Wellington Park shall be constructed/installed before occupation of any part of the development and shall be retained thereafter unless their removal is otherwise agreed in advance in writing by the Planning Authority.
13. For the avoidance of doubt, all surface water flows are to be contained and managed within the site and run-off from the site shall be limited to greenfield run-off rates.
14. Prior to the commencement of works, confirmation of connection to Scottish Water's Network shall be submitted to and approved in writing by the Planning Authority.
15. Development shall not commence on site until details have been submitted to and approved in writing by the Planning Authority in respect of the following:
 - a) Full details of landscaping and open space provision, detailing all existing landscape features and vegetation to be retained as well as trees to be felled;
 - b) Details of protective measures for all trees which are to be retained;
 - c) The locations of new trees, shrubs, hedges, grassed areas and water features;
 - d) A schedule of new trees and plants including species, plant sizes and proposed numbers and density;
 - e) The layout, design and materials of all hard landscaping works.

Thereafter the development shall be implemented as approved.

16. No tree works or vegetation clearance approved under Condition 15 above shall occur on site from March through September (inclusive) each year unless otherwise agreed in writing with the Planning Authority prior to clearance works commencing. In the event that clearance is proposed between March to September (inclusive), a nesting bird survey shall be carried out by an experienced ecologist covering the proposed clearance area prior to each stage of tree felling and vegetation clearance and shall be submitted to and approved in writing by the Planning Authority before those clearance works commence. Once written approval has been given, the works themselves shall be carried out within a specified and agreed timescale.
17. Prior to the commencement of any works, the tree protection measures approved under Condition 15 above for all trees to be retained shall be erected. All trees must be protected by barriers and/or ground protection to form a Construction Exclusion Zone in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS5837:2012 and shall not be removed during the course of construction work.
18. For the avoidance of doubt, for every tree identified which has been identified for removal under Condition 15 above, a replacement tree shall be planted within the site boundary. The replacement trees shall be planted prior to the conclusion of the first planting season following the site being brought into use.
19. No movement of machinery, stockpiling of materials, or changes in existing ground levels shall take place within the Construction Exclusion Zone throughout the duration of the construction works.
20. Where new surfacing is to be installed within the Construction Exclusion Zone of trees which are to be retained, precautions shall be taken to minimise disturbance to tree root systems, in accordance with BS5837:2012, Section 7.4.
21. Details of maintenance and management for the area which is to remain as open space shall be submitted to and approved in writing by the Planning Authority prior to the first occupation of any building on site. Management and maintenance shall commence upon completion of the landscaping.
22. Any of the trees, areas of grass or planted shrubs or bushes approved as part of the landscaping scheme that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. To ensure that the loss of open space within the site resulting from the development is offset by the upgrading of the remaining open space within the site.
3. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
4. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
5. 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.
6. To ensure that all contamination issues are recorded and dealt with appropriately.

7. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
8. To ensure suitable parking provision for the new development in the interests of road safety.
9. To ensure the usability of the car parking spaces in the interests of road safety.
10. To ensure the usability of the disabled car parking spaces in the interests of road safety.
11. To ensure suitable cycle parking provision for the new development in the interests of road safety.
12. In order to provide a suitable access through the site for both pedestrians and cyclists.
13. To ensure the development does not increase the risk of flooding to adjoining sites or the public road.
14. 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.
15. To ensure that the landscaping details and tree coverage on the site are given full consideration and are acceptable.
16. To ensure the appropriate protection of breeding birds.
17. To ensure the retention of and avoidance of damage to trees during development.
18. In the interests of biodiversity and to preserve the open space setting.
19. To ensure the retention of and avoidance of damage to trees during development.
20. To ensure the retention of and avoidance of damage to trees during development.
21. To ensure the maintenance of the open space in the interests of visual amenity and public safety.
22. To ensure that existing biodiversity levels in and around the site are preserved.

Stuart W Jamieson
Director
Environment & Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Sinclair on 01475 712436.

Report To: The Planning Board

Date: 7 June 2023

Report By: Director
Environment & Regeneration

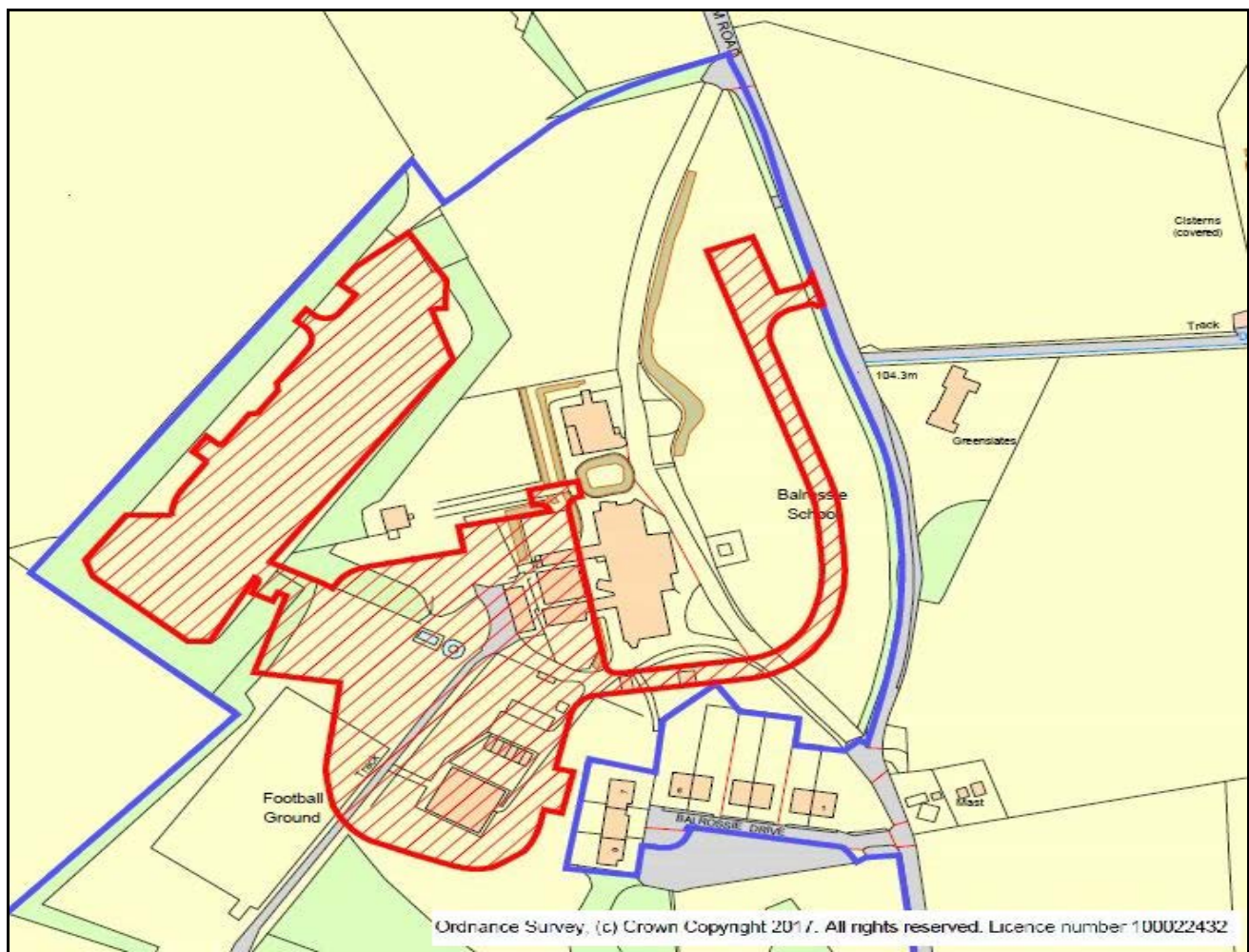
Report No: 23/0018/IC

Local Application Development

Contact Officer: Sean Mc Daid

Contact No: 01475 712412

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.

Report To: The Planning Board

Date: 7 June 2023

**Report By: Director
Environment & Regeneration**

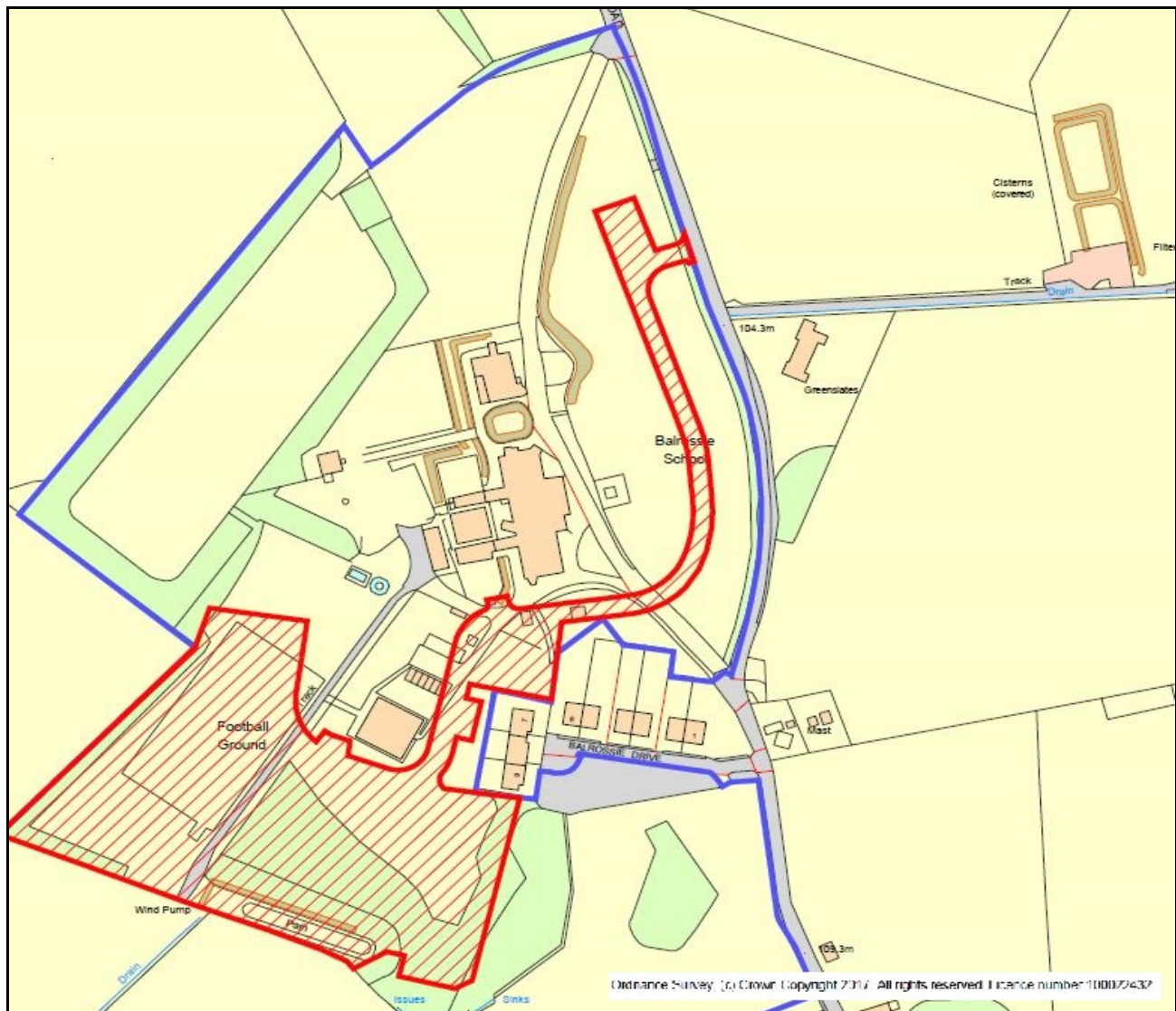
Report No: 23/0019/IC

**Local Application
Development**

Contact Officer: Sean Mc Daid

Contact No: 01475 712412

**Subject: Erection of 27 new build houses with associated roads infrastructure and new package waste treatment plant (renewal of previous planning permission 18/0076/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=RP59G2IML7Z00>

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 pitched roof with a prominent centre gabled section and 2 single-storey service wings extending from the rear. The annexe is a 2-storey, 3-bay 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 1.92 hectares and is mainly located to the south part of the grounds.

PREVIOUS PERMISSION

The following permission is relevant to the current application.

Planning permission 18/0076/IC was granted on 2nd August 2018 subject to conditions for 27 new build houses with associated roads infrastructure and new package waste treatment plant.

It should be noted that under normal circumstances planning permission 18/0076/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 18/0076/IC expired on 31st March 2023.

PROPOSAL

The current application for planning permission is the same development as approved under 18/0076/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 22 new build houses with associated roads infrastructure and new package waste treatment plant (23/0018/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 19 detached houses and 8 semi-detached houses. The detached houses are to have a mix of 3, 4 and 5 bedrooms and the semi-detached houses are to have 3 bedrooms. There is to be a detached garage at one of the detached houses at Plot 30. 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.

Similar to the previous planning application 18/0076/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 south side of Balrossie House. The new access road is also the access to the proposed houses that have been applied for under 23/0018/IC and for the converted listed buildings applied for under 23/0020/IC (being renewals of previous planning permissions 18/0077/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 23/0018/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 23/0018/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 27 houses proposed this indicates that these are to be constructed in Phase 3 over a period of 20 months. 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; no local transport links nor well-kept/lit local paths directly to and from Kilmacolm; access to the site is via a single track country road, not suitable for additional vehicles and dangerous; the visibility area at the entrance to the development appears to cross the objectors land and consent will not be given to this; the increase in traffic would be a danger to farm animals and horses that regularly use the road; damage to existing water pipes within the grounds that would affect water pressure and quality to neighbouring properties; the existing drainage system is not suitable for residential development and consent will not be given to install new pipes in neighbouring land; and the general infrastructure in the area is not suitable for housing development nor for the existing building being converted to multiple residential units.

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 18/0076/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 27 houses within the grounds. The principle of the new build houses had been accepted through the previous planning permission 18/0076/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 23/0018/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.



Photograph of former playing field taken in April 2020.

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 18/0076/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 27 houses, as part of enabling development, was considered acceptable in the assessment of the previous application 18/0076/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 has 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 18/0076/IC. The current application can therefore be again considered, in conjunction with the houses applied for under 23/0018/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.

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 18/0076/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 20% by the end of 2022 and 25% by the end of 2025 respectively) 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 17/0351/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 17/0351/IC contained conditions requiring these details to be submitted and this is consistent with the previous 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 23/0018/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 17/0351/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. The visibility sightlines at the new vehicular access to be constructed off Blacksholm Road does not cross over neighbouring land and the existing vehicular accesses to the north and south of the overall grounds of Balrossie House are to become pedestrian accesses.

It is the responsibility of the applicant/developer to apply to connect to the infrastructure provider, such for water supply and electricity. Only the infrastructure provider can give this consent and this is outwith the consideration of a planning application. Should access be required to neighbouring land to install infrastructure this is a matter that has to be agreed between the parties involved and is not a material planning consideration.

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 18/0076/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 18/0076/IC.

It is considered necessary to include the same or similar conditions from the previous planning permission 18/0076/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 23/0018/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 23/0018/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 23/0018/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 H, 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 H 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 H.

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 H 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.

Report To: The Planning Board

Date: 7 June 2023

Report By: Director
Environment & Regeneration

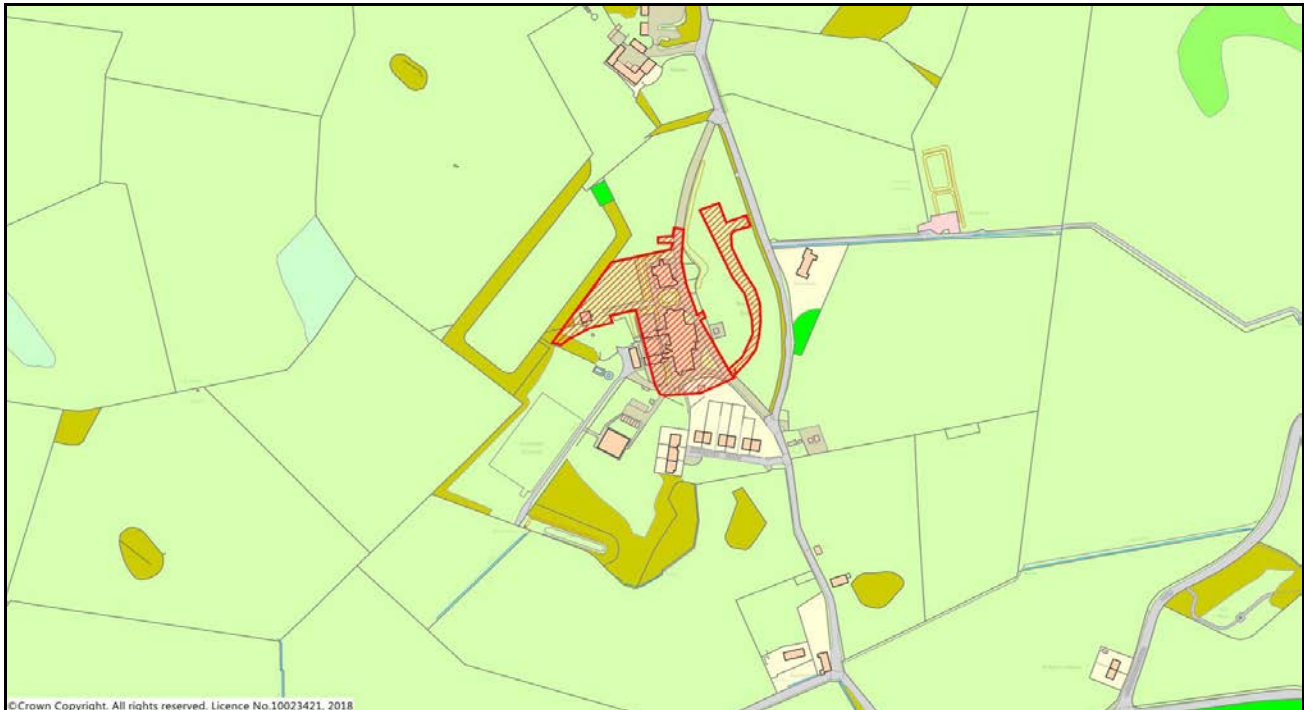
Report No: 23/0020/IC

Local Application
Development

Contact Officer: Sean Mc Daid

Contact No: 01475 712412

Subject: Conversion of existing Main Building, Annexe Building and Water Tower into residential units. Main Building - facade retention to North, South and East elevations with full reconstruction of west elevation, internal floor plates and roof, new windows throughout. Annexe Building - internal alterations and repairs to suit new layout. Roof overhauled/reslated, new windows throughout. Water Tower Building - Existing ground floor walls retained with new upper floor construction to match existing (renewal of previous planning permission 17/0351/IC) at
Balrossie House, Blacksholm Road, Kilmacolm



SUMMARY

- The proposal presents no conflict with 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.

- One representation objecting to the application has 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: [23/0020/IC | Conversion of existing Main Building, Annexe Building and Water Tower into residential units. Main Building - facade retention to North, South and East elevations with full reconstruction of west elevation, internal floor plates and roof, new windows throughout. Annexe Building - internal alterations and repairs to suit new layout. Roof overhauled/reslated, new windows throughout. Water Tower Building - Existing ground floor walls retained with new upper floor construction to match existing \(renewal of previous planning permission 17/0351/IC\). | Balrossie House Blacksholm Road Kilmacolm PA13 4ST \(inverclyde.gov.uk\)](#)

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.

PREVIOUS PERMISSIONS

The following permissions are relevant to the current application.

Planning permission 17/0351/IC was granted on 2nd August 2018 subject to conditions for the conversion of the existing Main Building, Annexe Building and Water Tower into residential units. This involved altering Balrossie House to form 12 flats, converting the Annexe building to two houses and for a house in the altered and extended Water Tower. This permission specifically approved the following: Main Building - façade retention to north, south and east elevations with full reconstruction of west elevation, internal floor plates and roof, new windows throughout; Annexe Building - internal alterations and repairs to suit new layout. Roof overhauled/re-slatted, new windows throughout; Water Tower Building - existing ground floor walls retained with new upper floor construction to match existing.

Listed building consent 17/0038/LB was also granted subject to conditions on 2nd August 2018 for the conversion of existing Main Building, Annexe Building and Water Tower into residential units. This again involved altering Balrossie House to form 12 flats, converting the Annexe building to two houses and for a house in the altered and extended Water Tower. This consent specifically approved the following: Main Building - façade retention to north, south and east elevations with full reconstruction of west elevation, internal floor plates and roof, new windows throughout; Annexe Building - internal alterations and repairs to suit new layout. Roof overhauled/re-slatted, new windows throughout; and Water Tower Building - existing ground floor walls retained with new upper floor construction to match existing.

It should be noted that under normal circumstances planning permission 17/0351/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 17/0351/IC expired on 31st March 2023.

Listed Building Consent 23/0002/LB was granted on 3rd April 2023 for the conversion of the existing Main Building, Annexe Building and Water Tower into residential units. This involved altering Balrossie House to form 12 flats, converting the Annexe building to two houses and for a house in the altered and extended Water Tower. This consent specifically approved the following: Main Building - facade retention to North, South and East elevations with full reconstruction of west elevation, internal floor plates and roof, new windows throughout. Annexe Building - internal alterations and repairs to suit new layout. Roof overhauled/re-slatted, new windows throughout. Water Tower Building - existing ground floor walls retained with new upper floor construction to match existing

PROPOSAL

The current application for planning permission is in effect the same development as approved under 17/0351/IC and the approved development has not been carried out in the intervening period. The current application also relates to the alterations to the listed buildings that were recently approved under 23/0002/LB.

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

In the assessment of 17/0351/IC it was indicated that although the existing roofs offered a degree of protection from the elements, the applicant advised that some coverings and structures would need to be replaced as the materials were past their useful life and were in very poor condition. Lead and slates had been stripped in places and there had been some fire damage. There was also significant water penetration and, where they remained, marked deterioration of gutters and downpipes. It was indicated the walls were in generally better condition, with only a few areas of decay limiting work to primarily cleaning and pointing, with small areas of damaged roughcast to be repaired. Most windows had been boarded, but those that were then exposed and damaged would be replaced to make the building habitable. The interiors were generally in poor condition due to water ingress and vandalism and almost no original interior finishes survived.

It should be noted that the condition of the main building has deteriorated, and parts of the roof are not in place. The full extent of the condition of the buildings is not known as access to the site and building is restricted. The drawings submitted with the current application are the same as those submitted for 17/0351/IC and are dated “Sept 17” and “October 2017” although they are now annotated “Building not surveyed” for each of the buildings. The current application drawings indicate that the entire roof structure of the main building is to be replaced and although parts of the roof are now not in place this is consistent with what was to occur in the previous listed building consent 17/0351/IC.

In the assessment of 17/0351/IC it was indicated the annexe building was in generally better condition. However similar to the main building the condition of this building has deteriorated, and parts of the roof are not in place. The current application drawings indicate that the entire roof

structure is to be fully repaired and made good with natural slates and terracotta decorative ridges to match the existing. It is considered that the re-instatement of the missing parts of the roof that will need to be done can be considered to be repair work. As the same as the main building, new cast iron gutters and downpipes are to be used. Non-original extensions are to be removed and external finishes are to be made good with a new entrance created where a non-original stair is to be removed. The existing rear lean-to roof area is to be infilled with materials matching the retained facades to provide additional ground floor accommodation. A small, new dormer window is to be constructed on the front elevation. This is associated with the conversion of this building to two semi-detached houses.

The water tower building is a single storey structure although historical information suggests that it was taller, mimicking the main building's central tower. It is proposed to retain and refurbish the structure, re-creating the levels above to form a house in the style of the original tower. An additional door is to be installed at ground floor level on the west elevation which had not been proposed in the previous listed building consent 17/0351/IC.

A new access road is also to be formed off Balrossie Road that leads up to the to south side of Balrossie House. A new pedestrian access is to be formed adjacent to the new vehicular access. From the new access road an access road is to run in front of the main building and on to the front of the annexe building. At the rear of the main building an access is to be formed leading to parking. The new access road is also the access the proposed houses that are proposed at the rear and to the south-west of Balrossie House that have been applied for under 23/0018/IC and 23/0019/IC (being renewals of previous planning permissions 18/0077/IC and 18/0076/IC respectively). The access to the converted water tower is to be from the new access road as it continues towards the west part of the overall grounds. It should be noted the proposed access road leading from the new entrance off Blacksholm Road is included in planning applications 23/0018/IC and 23/0019/IC.

The existing vehicular accesses from Blacksholm Road are indicated on the application drawings as becoming pedestrian routes and the existing gates 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 23/0018/IC and 23/0019/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 listed buildings this indicates that the works and alterations are to be carried out in Phases 1 and 2 during which infrastructure and 22 new build houses are also to be constructed. During Phase 1 (indicated as months 6 to 26) the listed buildings are to be made safe and outbuildings/extensions removed. During Phase 2 (indicated as months 13 to 36) facades are to be retained with reconstruction and internal construction/fit out undertaken.

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.

Adopted Planning Application Advice Note (PAAN) 7 on “Windows and Rooflights in Conservation Areas and Listed Buildings” 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 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.

Draft Planning Application Advice Note (PAAN) 7 on “Windows and Rooflights in Conservation Areas and Listed Buildings” 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 main building consists of twelve 2 bedroom dwellings, the annex building has two 4 bedroom dwellings and the water tower one 3 bedroom dwelling. The main building requires 24 spaces plus 6 visitor spaces. The applicant has shown 27 spaces which is insufficient. The annex building requires 6 spaces plus 1 visitor space. The applicant has shown 6 spaces but no visitor spaces. This is insufficient. The water tower requires 2 spaces and there appears to be sufficient space within the curtilage of the site.
- The visitors parking associated with the main building is located adjacent to the Annex. These spaces should be relocated to be adjacent to the main building to prevent overspill parking onto the surrounding streets.
- The 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.
- 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.
- 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.
- It is noted that the property to the west of Plot 32 cannot be reached without the development of the road outwith this application.
- The turning heads within the site do not appear to comply with the dimensions provided in the National Roads Development Guide for a residential development. 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, therefore, does not feel 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 and 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.

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 24th February 2023 as there are no premises on neighbouring land and for development affecting a listed building. The application was advertised in the Edinburgh Gazette on 24th February 2023 for development affecting a listed building.

SITE NOTICES

A site notice was posted on 24th February 2023 for development affecting a listed building.

PUBLIC PARTICIPATION

The application was subject to neighbour notification and one representation was received that objects to the application. The grounds of objection are summarised as follows: access to the site is via a single track country road, not suitable for additional vehicles and dangerous; the visibility area at the entrance to the development appears to cross the objectors land and consent will not be given to this; the increase in traffic would be a danger to farm animals and horses that regularly use the road; damage to existing water pipes within the grounds that would affect water pressure and quality to neighbouring properties; the existing drainage system is not suitable for residential development and consent will not be given to install new pipes in neighbouring land; the general infrastructure in the area is not suitable for housing development nor for the existing building being converted to multiple residential units.

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 17/0351/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 material consideration in the assessment of this application are: Historic Environment Scotland's Policy Statement and "Managing Change in the Historic Environment" guidance notes on "Demolition", "Doorways", "External Walls", "Interiors", "Roofs" and "Windows"; the impact on the architectural integrity and historic interest of the buildings; the previous 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 to convert the three listed buildings to residential units. The principle of residential units in the listed buildings had been accepted through the previous planning permission 17/0351/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 directly relevant and of particular importance to this application as it involves the renovation and alterations to the listed buildings to bring them back into active use. In terms of whether the proposal preserves its character, special architectural or historic interest and 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 refurbishment and re-use of the listed buildings in order that they remain at this location is considered to outweigh a justification as to why a Green Belt location is required or why the development cannot be at an alternative location. The purpose of the Green Belt at this location is not considered to be undermined bearing in mind that the proposal relates to the existing buildings, is a brownfield site that has a sizeable main building on it, nor will have significant long term impacts on the environmental quality of the Green Belt. The refurbishment works in the main are to return the existing buildings back to their previous appearances and in this regard can be considered compatible with the established countryside and landscape character in the surrounding area. In addition the refurbishment works are not considered to significantly increase the visual impact of the development on the surrounding landscape even when considering the upward extension of the water tower that historical information/photographs suggest was taller. As a consequence the development is considered in general terms to accord with the criteria above and the details of the proposal will be assessed against other policies later in this assessment.

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 has a negative visual impact on the site and immediate surrounding area. Renovating the existing buildings and bringing them back into active use as residential units is considered to accord with the general terms of Policy 14 a).



Main building – photograph taken May 2019

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 23/0018/IC and 23/0019/IC, include open space and a play area within the existing site. 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.

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 15 residential units that are to be formed in the three listed buildings (made up of 12 flats in the main building, 2 semi-detached houses in the annexe building and a detached house in the water tower) 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. Justification for why the development is required at this location is not considered necessary. As the proposal relates directly to the refurbishment and re-use of the three listed buildings at this location it strongly accords with criterion d) of both policies. The principle of converting, refurbishing and re-using the three existing listed buildings therefore presents no conflict with the Green Belt policies.

Impact on the Listed Buildings

Policy 7 c) of NPF4 and Policy 29 of both the adopted and proposed Local Development Plans indicate that proposals affecting a listed building are required to protect its special architectural or historical interest. These policies also presume in favour of retaining listed buildings. Proposals to alter, extend or demolish them must respect the reasons for listing, be of a high standard and will be approved only where the proposed works do not adversely affect the special interest of the building. Policy 8 of NPF4 also indicates 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.



Annexe building – photograph taken October 2021

When considering the proposal against these policies the advice/guidance from Historic Environment Scotland is relevant.

Historic Environment Scotland indicates in its Policy Statement that in assessing an application for the conversion of a listed building, a planning authority is required to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. In this instance the most significant buildings are to be retained, with the extent of external modification to Balrossie House again largely limited to the demolition of an extension and rear elevation alterations. The replacement that will have to be carried out for the missing parts of the roofs on the main building is consistent with the roof structure being fully replaced in the previous consent. The main alterations to the annexe building are again to the rear with demolition at a side elevation although the missing parts of the roof will need to be re-instated. It is considered that the re-instatement of the missing parts of the roof that

will need to be done can be considered to be repair work. It was considered in the assessment of 17/0351/IC that the applicant had sensitively limited the number of interventions required to bring these two buildings back into use as residences. This remains the same opinion for the current application including when factoring in the parts of the roof that will need to be re-instated.



Water Tower – photograph taken 2019

Vertical enlargement is required to the water tower building to facilitate conversion to form a house, however the historical evidence suggests that this is an attempt to restore the building to close to its original exterior/appearance.

It is considered all the modifications/re-instatement works will be in harmony with the character of the buildings, will largely preserve their architectural integrity and allow for their longer term retention to the benefit of the heritage of the area. As referred to in the assessment of 17/0351/IC there are no remaining internal features of merit that would be adversely affected by the proposals. This opinion is the same for the current application.

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

In terms of the guidance on "Roofs" this indicates alterations and repairs to roofs and their associated features should protect the character of the historic building. The guidance goes on to indicate wherever possible the repair of historic roofs should be carried out in traditional materials to match the existing. Replication of the type, dimensions, pattern and coursing of materials is important to maintaining the character of the roof. The use of slate, lead and other traditional materials not only protects the character and appearance of a building, but with regular maintenance they can also be extremely durable. Associated features, such as rainwater goods and chimneys, should also be repaired or renewed using appropriate traditional materials. In terms of alterations the guidance indicates new work should normally match the original as closely as possible. As indicated above the current application drawings indicate that the entire roof structure

is to be replaced on the main building and although parts of the roof are now not in place this is consistent with what was to occur in the previous planning permission 17/0351/IC. Similarly it is considered that the re-instatement of the missing parts of the roof of the annexe building that will need to be done can be considered to be repair work and consistent with what was to occur in the previous listed building consent. The specific details of the roof repairs/re-instatement works to the main and annexe building can be addressed by a condition in order to accord with the terms of the guidance.

Referring to guidance on "Doorways", the original doorways in all three buildings are largely being respected. One opening is being closed on a side elevation of the main building but this is not to the detriment of the character. The additional door on the west elevation of the water tower is simple in form and considered to be acceptable.

Changes are necessary to external walls and roofs to bring the buildings into habitable condition however these as being sensitively handled with reference to the corresponding guidance notes. As noted earlier, little of the interior of the buildings remains intact either due to previous alterations or as a result of the effects of weathering and vandalism.

Finally, considering "Windows", the guidance note accepts there will be circumstances where windows are beyond retrieval and require to be replaced. It specifies a number of matters to be addressed in their replacement. Both the adopted PAAN7 and draft PAAN7 note that replacement windows should match the design of the original windows, should be painted to accord with the original colour, where appropriate glazing bars should match the original in position and size and that, if sash and case windows are used the bottom sash should be capable of opening inwards. It had been noted in the assessment of 17/0351/IC that most of the existing windows were boarded up and that those exposed had significantly weathered or been vandalised to the extent that they could not be re-used. It was also noted that where visible on the site, most of the original windows appeared to be timber sliding sashes. Double glazed timber sash and casement windows are proposed, which is considered acceptable. The detailing of these windows can be covered by a condition but the replacement windows proposed are, in principle, largely in character with the buildings and in accordance with the guidance note on "Windows" and adopted and draft PAAN7s.

It is considered that the alterations to the three listed buildings are acceptable when assessed against Policy 7 c) of NPF4 and Policy 29 of both the adopted and proposed Local Development Plans. The alterations/renovation works are also considered acceptable when assessed against Policy 8 of NPF4 as the visual impact on the Green Belt is similar to that when the buildings were in use/occupied.

It should be noted that Historic Environment Scotland did not object to the application for Listed Building Consent 23/0002/LB. In their consultation response they indicated they were consulted on an application for this building in 2017 and note the Council subsequently granted consent. The new application appears to be identical, with a similar level of detail being provided. They therefore reiterated previous advice. They indicated they have been involved in discussions about Balrossie over the years and have supported proposals to convert the buildings. They welcome the application coming forward, particularly given the ongoing deterioration and vandalism that is occurring. They further advised that although they were content with the principle of the proposals, they considered that the application is light on detail, particularly regarding the method of repairs and materials. If consent is granted, they recommended that condition 1 of the previous consent (ref. 17/0038/LB) be attached to ensure that the detailed works reflect the design and character of the listed buildings. In order to be consistent with Listed Building Consent 23/0002/LB the same condition can be applied should planning permission be granted.

Other relevant Local Development Plan policies

Turning to other policies that are relevant to the consideration of this application, 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 17/0351/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 17/0351/IC contained conditions requiring these details to be submitted and this is consistent with the previous 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 23/0018/IC and 23/0019/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 dwelling (the annexe building and the water tower) and 20% of available parking spaces fitted with tickle charging points for flats/apartments (the main building) in this instance. These requirements 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.

The Head of Service – Roads and Transportation has advised that the number of parking spaces for the Main Building is not sufficient and the Annex Building requires a visitor parking space. It is considered that these requirements can be addressed by planning conditions in order to comply

with the terms of Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan.

Should planning permission be granted planning conditions can also 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.

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 17/0351/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.

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 objection that has 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. The visibility

sightlines at the new vehicular access to be constructed off Blacksholm Road does not cross over neighbouring land and the existing vehicular accesses to the north and south of the overall grounds of Balrossie House are to become pedestrian accesses.

It is the responsibility of the applicant/developer to apply to connect to the infrastructure provider, such for water supply and electricity. Only the infrastructure provider can give this consent and this is outwith the consideration of a planning application. Should access be required to neighbouring land to install infrastructure this is a matter that has to be agreed between the parties involved and is not a material planning consideration.

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 17/0351/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 17/0351/IC.

It is considered necessary to include the same or similar conditions from the previous planning permission 17/0351/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, the proposal is to bring the existing listed buildings back into use and given the deterioration in the 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. The proposal is considered acceptable when assessed against the guidance from Historic Environment Scotland in the Managing Change in the Historic Environment notes. 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 until full details of the following works to Balrossie House, the annexe building and the water tower, following the re-survey of the buildings, have been submitted to and approved in writing by the Planning Authority, in consultation with Historic Environment Scotland:

- Stonework repairs/replacement
- Roof repairs.
- Fenestration repairs/replacement.
- Door repairs/replacement.
- Guttering and downpipe repairs/replacement.

Following approval the works shall be fully implemented.

3. Development shall not commence until full details of the following works have been submitted to and approved in writing by the Planning Authority, in consultation with Historic Environment Scotland:

- Garden feature repairs/replacement.
- Boundary repairs/replacement including at the existing entrances to the site off Blacksholm Road.
- Any walls, fences and gate piers at the proposed vehicular and pedestrian entrances to the site off Blacksholm Road.
- All hard and soft landscaping works.

4. Development shall not commence on site until full details of a programme for the completion and maintenance of hard and soft landscaping works have been submitted to and approved in writing by the Planning Authority.

5. Development shall not commence until details/samples of the proposed hardsurfacing materials on the roads, paths and parking areas have been submitted to and approved in writing by the Planning Authority. Thereafter they shall be implemented as approved.

6. Development shall not commence until details/plans of the bin stores identified on drawing AL(0)010 Rev G have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details before the occupation/first use of any residential unit in the converted main building.

7. Development shall not commence until details of the fences and walls to be erected on the site have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. Development shall not commence until details/plans of the "new packet waste treatment plant" as indicated on drawing AL(0)010 Rev G 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.

16. 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.

17. Notwithstanding what is shown on drawing AL(0)010 Rev G, 24 parking spaces plus 6 visitor parking spaces are required for the main building. Development shall not commence until an amended parking plan has been submitted to and approved in writing by the Planning Authority. The amended plan shall allow for the visitor parking related to the main building to be adjacent to this building. Thereafter the approved parking and approved visitor parking spaces shall be formed and be available for use prior to the first occupation of any of the residential units in the converted main building.

18. Notwithstanding what is shown on drawing AL(0)010 Rev G the annex building requires one visitor parking space. Development shall not commence until a plan identifying the visitor parking space has been submitted to and approved in writing by the Planning Authority. Thereafter the approved visitor parking space shall be formed and be available for use prior to the first occupation of any of the residential units in the converted annex building.

19. 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.

20. 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 G.

21. 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.

22. 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.

23. For the avoidance of doubt the dwellinghouses in the annexe building and the water tower shall each have an Electric Vehicle Charging Point and 20% of the available parking spaces in the parking associated with the main building shall be fitted with tickle charging points. Development shall not commence until the details have been submitted to and approved in writing by the Planning Authority relating to the proposed Electric Vehicle Charging Points. Thereafter the approved details shall be implemented on site in their approved form before the first occupation the respective residential units.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. To ensure that the detailed works reflect the design and character of the existing listed buildings.
3. To ensure that the works within the curtilage of the listed buildings reflects the design and character of the buildings.
4. To ensure that landscaping works within the curtilage of the listed buildings are maintained to reflect the design and character of the buildings.
5. To ensure the development is acceptable in appearance.
6. To ensure the development is acceptable in appearance.
7. To ensure the development is acceptable in appearance.
8. In order to identify and protect any archaeological remains and to allow the Planning Authority to consider this matter in detail.
9. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
10. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
11. 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.

12. To ensure that all contamination issues are recorded and dealt with appropriately.
13. To establish whether protected species are present and to ensure that mitigation measures are appropriate in the interests of nature conservation.
14. To ensure the surface water drainage is acceptable at this location.
15. To ensure the provision of adequate sewerage arrangements.
16. 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.
17. To ensure the requisite amount of parking is provided and in the interests of roads safety.
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. In the interests of roads safety.
23. 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.