

Local Review Body

7 May 2014

Planning Application for Review

Mr K MacConnecher

**Alterations to design of detached dwellinghouse and formation of garage/carport
(variation to consent 13/0246/IC):**

Former ARP Station, Lochwinnoch Road, Kilmacolm (14/0005/IC)

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- Suggested conditions should planning permission be granted on review

PLANNING APPLICATION AND PLANS

Inverclyde council

Municipal Buildings Clyde Square Greenock PA15 1LY

Tel: 01475 712 406

Fax: 01475 712 468

Email: planning.dlm@inverclyde.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 000079600-001

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

Type of Application

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

We strongly recommend that you refer to the help text before you complete this section.

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

Please give the application reference no. of the previous application and date when permission was granted.

Application Reference No: *

Date (dd/mm/yyyy): *

Description of Proposal

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

Is this a temporary permission? * Yes No

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

Have the works already been started or completed? *

No Yes - Started Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

11/11/13

Please explain why work has taken place in advance of making this application: *
(Max 500 characters)

Consent previously granted and work taking place in accordance with this previous consent.

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:
Ref. Number:
First Name: *
Last Name: *
Telephone Number: *
Extension Number:
Mobile Number:
Fax Number:
Email Address: *

You must enter a Building Name or Number, or both:*

Building Name:
Building Number:
Address 1 (Street): *
Address 2:
Town/City: *
Country: *
Postcode: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both:*	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Ladymuir"/>
First Name: *	<input type="text" value="Kenneth"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="MacConnecher"/>	Address 1 (Street): *	<input type="text" value="Glenmosston Road"/>
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number:	<input type="text"/>	Town/City: *	<input type="text" value="Kilmacolm"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PA13 4PF"/>
Fax Number:	<input type="text"/>		
Email Address:	<input type="text"/>		

Site Address Details

Planning Authority:

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

Address 1:	<input type="text"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text"/>	Town/City/Settlement:	<input type="text"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="669284"/>	Easting	<input type="text" value="234870"/>
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Pre-Application Discussion

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

Site Area

Please state the site area:

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

Existing Use

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

Disused storage building.

Access and Parking

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

Yes No

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

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

Yes No

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

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

5

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

5

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

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

- Yes – connecting to public drainage network
- No – proposing to make private drainage arrangements
- Not Applicable – only arrangements for water supply required

What private arrangements are you proposing? *

- New/Altered septic tank.
- Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
- Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
- Discharge to watercourse(s) (including partial soakaway).
- Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: * (Max 500 characters)

Proposal envisages the re-use of an existing septic tank with an existing discharge into the burn. Surface water also discharges into the burn.

Do your proposals make provision for sustainable drainage of surface water?
(e.g. SUDS arrangements) *

Yes No

Note: -

Please include details of SUDS arrangements on your plans

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

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

- Yes
 No, using a private water supply
 No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

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

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Douglas Nicholson

On behalf of: Mr Kenneth MacConnecher

Date: 07/01/2014

Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and County Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

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

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan. *

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement *

Yes N/A

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

Declare - For Application to Planning Authority

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

Declaration Name: Douglas Nicholson

Declaration Date: 07/01/2014

Submission Date: 07/01/2014

SITE PHOTOGRAPHS









**REPORT OF HANDLING DATED
14 FEBRUARY 2014**

REPORT OF HANDLING

Report By: Guy Phillips

Report No: 14/0005/IC

Local Application
Development

**Contact
Officer:** 01475 712422

Date: 14th February 2014

Subject: Alterations to design of detached dwellinghouse and formation of garage / carport
(variation to consent 13/0246/IC) at
Former ARP Station, Lochwinnoch Road, Kilmacolm

SITE DESCRIPTION

The former ARP station at Lochwinnoch Road, approximately 80m west of Kilmacolm, comprises two flat roofed, single storey buildings of utilitarian design. There are no properties adjoining the site and it is bound on all sides by countryside. The site is fronted by beech hedging.

PROPOSAL

In December 2010 planning permission was granted for the change of use and conversion of the buildings to form a terrace of five houses and a detached house. In November last year planning permission was granted for a variation to the design of the detached house comprising alterations to floor plans and elevations and the addition of shallow pitched roofs. A detached garage with an attached car port was also approved in the rear garden. It is now proposed to significantly alter the design of the detached house. The addition of an approximately thirty degree pitched roof, clad in red clay tiles converts the building to one and a half storey configuration, incorporating six dormer windows spread over the front, rear and east (side) slopes. Walls are finished in roughcast and fenestration throughout has a vertical emphasis and incorporates atragals. The detached garage in the rear garden has also been altered to incorporate a pitched roof similar to that over the house.

DEVELOPMENT PLAN POLICIES

Local Plan Policy DS8 - Green Belt

There is a presumption against development in the designated Green Belt, as identified on the Proposals Map. Proposals will only be considered favourably in exceptional or mitigating circumstances and where the criteria for development in Policy DS10 for the 'Countryside' can be satisfied.

Local Plan Policy DS10 - Countryside

Development within the countryside (including the Green Belt) will be permitted only where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture and forestry;
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and contributes to the social and economic development of the area;

- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site;
- (d) it entails appropriate re-use of vacant buildings which it would be desirable to retain for their historic or architectural character; or
- (e) it forms part of an establishment or institution standing in extensive grounds; and
- (f) it does not adversely impact on the landscape character;
- (g) it does not adversely impact on the natural heritage resource;
- (h) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (i) there is a need for additional land for development purposes, provided it takes account of the requirements of the Structure Plan; and
- (j) it complies with other relevant Local Plan policies.

Local Plan Policy H18 - Reuse of Buildings in the Green Belt and Countryside

Proposals for the conversion, re-use or rehabilitation of buildings in the Green Belt and Countryside will be supported provided that:

- (a) such buildings are structurally sound, largely intact and capable of conversion without recourse to substantial demolition and rebuild (the Council will require a structural suitability report to accompany planning applications);
- (b) the proposed development respects the existing character of such buildings in terms of scale, form, proportions and architectural congruity and creates a cohesive and satisfactory group of new houses;
- (c) proposed finishing materials and design details are compatible with the character of the existing structure;
- (d) such buildings no longer meet their original purpose (the Council will require clarification of a building's redundancy);
- (e) such a development can be sympathetically integrated into its setting (details of site surfaces, planting and boundary treatments will be required); and
- (f) infrastructural requirements, particularly roads and drainage matters can be satisfactorily addressed.

Local Plan Policy DC1 - Development Control Advice

Inverclyde Council, as Planning Authority, will support applications for planning, listed building and advertisement consent, where applicable, which accord with the principles established in the Council's Planning Practice Advice Notes.

PPAN 5 "Design & Siting of Houses in the Countryside" applies.

PROPOSED LOCAL DEVELOPMENT PLAN POLICIES

Policy SDS8 - Green Belt and the Countryside

There will be a presumption against the spread of the built-up area into the designated Green Belt and careful management to prevent sporadic development in the designated Countryside, as identified on the Proposals Map.

Policy ENV2 - Green Belt and the Countryside

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

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or

(c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or

(d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and

(e) it does not adversely impact on the natural and built heritage, and environmental resources;

(f) it does not adversely impact on landscape character;

(g) it does not adversely impact on prime quality agricultural land;

(h) it does not adversely impact on peat land with a high value as a carbon store;

(i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;

(j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and

(k) it has regard to Supplementary Guidance on Planning Application Advice.

Policy RES2 - Development on Brownfield Sites

Development on brownfield sites for housing and community uses in the residential areas identified on the Proposals Map, and in particular the designated renewal areas, will be supported where it accords with Policies RES1 and RES5, except where:

- (a) an alternative use of greater priority or significant social and/or economic/employment benefit is identified; or
- (b) an alternative use is identified through an agreed area renewal initiative (refer Policy SDS7); or
- (c) it would result in an unacceptable loss of designated and locally valued open space (refer Policy ENV4).

Policy RES3 - Residential Development Opportunities

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

Policy RES5 - Proposals for Changes to Properties for Residential Use

Proposals for the change of use, sub-division or conversion to properties to create new additional dwelling units, and for the alteration or extension to residential properties, will be assessed against and have to satisfy where appropriate, the following criteria:

- (a) the character and amenity of neighbouring properties;
- (b) impact on the streetscape;
- (c) impact on the character of the existing property;
- (d) accordance with the Council's adopted roads guidance; and
having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy RES7 : Residential Development in the Green Belt and Countryside

The development of new dwellings in the Green Belt and Countryside, identified on the Proposals Map, will be supported only if the proposal is for either a single or small group of dwellings not adjoining the urban area or the redevelopment of large habitable redundant buildings, that are for the most part intact and capable of conversion for residential use without recourse to substantial demolition and rebuilding, are acceptable with reference to Supplementary Guidance on Planning Application Advice Notes and fall within one of the following categories:

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

Consideration also requires to be given to PAAN 8 "Siting and Design of New Houses in the Countryside".

CONSULTATIONS

Head of Environmental and Commercial Services - No objections.

Head of Safer and Inclusive Communities - No objections subject to conditions to control the spread of Japanese Knotweed and potential ground contamination and advisory notes on external lighting, construction noise, drainage, vermin, CDM Regulations, surface water, flooding, septic tanks and seagulls.

PUBLICITY

The application was advertised in the Greenock Telegraph on 10th January 2014 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

One letter of objection has been received from Kilmacolm Civic Trust.

The Civic Trust consider that proposed Local Development Plan policy RES7 and associated design guidance in PAAN8 should be less restrictive in its requirements for the original scale, character, proportion and architectural integrity of the war-time building to remain intact. The Trust is seeking changes to policy RES7 and associated design guidance in the forthcoming examination of the proposed Local Development Plan. They welcome and support the principle of the pitched roof and traditional style adopted by the proposal compared to the previously approved art deco design but object to the proposal as they consider the design to require improvements to fenestration, positioning of doorways, massing and detailing of roofline, use and positioning of rooflights and conflict of architectural styles.

ASSESSMENT

The material considerations in the determination of this planning application are the Local Plan, the proposed Local Development Plan, the planning history of the site, the consultation responses and the written representation.

The principle of the conversion and re-use of the building as a house is established by the planning permissions granted in 2010 and 2013; it is therefore unnecessary to assess the proposal further against policies DS8 and DS10 in the Local Plan which support the re-use of vacant buildings in the countryside. The proposed Local Development Plan arises as a material consideration, however I note that Policy SDS8 is similar to Local Plan policy DS8 and raises no new issues.

Proposed Local Development Plan policies RES2 and RES3 also require to be recognised. They combine to presume in favour of residential development on brown field sites identified as residential opportunities in Schedule 6.1 of which this is one. Policy RES3 also refers to the housing opportunities contained in Schedule 6.1. The schedule reflects the planning permissions granted for the conversion of the former ARP station to six houses.

Local Plan policy H18 and proposed Local Development Plan policy RES7 combine to consider the re-use of buildings in the countryside. The policies support the principle of reuse of redundant buildings, but it rests to consider if the design is appropriate with particular reference to the existing building and the previous planning permissions.

The two previous planning permissions for the site serve to determine that the redundant building is capable of conversion to residential use in a design reflecting its original architecture, in accordance with Local Plan policy H18, proposed Local Development Plan policy RES7 and the associated design guidance in PPAAN5 and PAAN8. The proposal under consideration, however, is a significant departure from the design of that previously approved to convert the building to residential use. It is also a departure from the original scale, character, proportion and architectural integrity of the building. Overall, the submitted design is that of a modern, new-build house, albeit incorporating the existing building within its fabric. The alterations to roof design, choice of roof finish and fenestration are such that the existing building is no longer recognisable.

I note Kilmacolm Civic Trust's disagreement with the Council's design guidance for the conversion of redundant buildings in the countryside and that they are seeking changes to policy RES7 in the forthcoming examination of the proposed Local Development Plan. The former ARP station in the countryside immediately outwith Kilmacolm village has existed for over 70 years. It is prominent on the approach to the village and has architecture which reflects the war-time requirement for its construction. As such it is part of the established character of the village and while not a listed building is part of the village's history and evolution. Accordingly, I am in disagreement with the Civic Trust that there should be a significant shift in architectural style in its residential conversion. The proposed design, I consider, results in the loss of the former ARP station's identity, creating the impression of a random house, standing outwith the village envelope, with no clear justification for its location.

The consulted parties offer no objections to planning permission being granted.

Overall, I do not consider that the proposal merits support.

RECOMMENDATION

That the application be refused for the following reason:

Reason

The proposal fails to respect the original scale, character, proportion and architectural integrity of the building, thus conflicting with Local Plan policy H18, proposed Local Development Plan policy RES7 and the design guidance in the Council's PPAN 5 and PAAN 8 for the residential conversion of buildings in the countryside, all to the detriment of the quality of visual amenity at this prominent site at the entrance to Kilmacolm village.

Signed:

Case Officer: Guy Phillips

Stuart Jamieson
Head of Regeneration and Planning

CONSULTATION RESPONSES

Memorandum Safer Communities Planning Application Consultation Response	
To: Planning Services For the Attention of Guy Phillips	
From: Safer and Inclusive Communities	Date of Issue to Planning: 24 th Jan 2014

Lead Officer: Sharon Lindsay	
Tel: 01475 714 205	Email: Sharon.lindsay@inverclyde.gov.uk

Safer Communities Reference (optional):	
Planning Application Reference:	14/0005/IC
Planning Application Address:	Former ARP Lochwinnoch rd, Kilmacolm
Planning Application Proposal:	Alterations to design of house (variation to consent 13/0246/IC)

Team	Officer	Date
Food & Health	Michael Lapsley	
Environment & Safety <i>Contaminated Land</i>	Sharon Lindsay Roslyn McIntosh	24.1.14 10/01/14
Public Health & Housing	Janet Stitt / Jim Blair	23.1.14
Environment and Enforcement	Emilie Smith	21/01/14

Amend table entries as appropriate and insert date when each officer review is completed.



Healthy
Working
Lives



Recommended Conditions:

It is recommended that the undernoted conditions be placed on any consent the council may grant:

Delete or amend as appropriate

Food & Health

No Comments

Environment & Safety

No Comments

Contaminated Land

1. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.

Reason: To help arrest the spread of Japanese Knotweed in the interests of environmental protection.

2. That the development shall not commence until an environmental investigation and risk assessment, including any necessary remediation strategy 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 acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options.

Reason: To satisfactorily address potential contamination issues in the interests of environmental safety.

3. That on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing by the Planning Authority, confirming that the works have been carried out in accordance with the remediation strategy. 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 imported/disposed/reused materials relevant to the site.

Reason: To provide verification that remediation has been carried out to the Authority's satisfaction.

4. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.

Reason: To ensure that all contamination issues are recorded and dealt with appropriately.

5. The use of the development shall not commence until the applicant has submitted a completion report for approval, in writing by the Planning Authority detailing all fill or landscaping material imported onto the site. This report shall contain information of the materials source, volume, intended use and verification of chemical quality (including soil-leachate and organic content etc) with plans delineating placement and thickness.

Reason: To protect receptors from the harmful effects of imported contamination.

Public Health & Housing

6. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

Reason: To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.

Environment and Enforcement

7. The applicant must consult or arrange for their main contractor to consult with either Stewart Mackenzie or Emilie Smith at Inverclyde Council, Safer Communities (01475 714200), prior to the commencement of works to agree times and methods to minimise noise disruption from the site.

Reason: To protect the amenities of occupiers of premises from unreasonable noise and vibration levels.

Recommended Advisory Notes

It is strongly recommended that the undernoted Advisory Notes be placed on any consent the Council may grant:

- i. **Site Drainage:** Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.
- ii. **Rats, drains and sewers:** Prior to the construction phase it is strongly recommended that any existing, but redundant, sewer/drainage connections should be sealed to prevent rat infestation and inhibit the movement of rats within the area via the sewers/drains.
- iii. The applicant should be fully aware of the **Construction (Design & Management) Regulations 2007 (CDM 2007)** and it's implications on client duties etc.
- iv. **Surface Water:** Any SUDS appraisal must to give appropriate weight to not only any potential risk of pollution to watercourses but to suitable and sufficient measures for the effective collection and disposal of surface water to prevent flooding.
- v. Measures should be implemented during the construction phase of the project as well as the within the completed development to prevent flooding within the application site and in property / land nearby.
- vi. **Septic Tanks:** Should the premises be served by a septic tank, it will be necessary to ensure that the capacity of the tank is sufficient to deal with any additional demand and that the maintenance and emptying regime is modified accordingly.
- vii. **Design and Construction of Buildings – Gulls:** It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

REPRESENTATION

KILMACOLM CIVIC TRUST
(Scottish Charity No SC 032744)

From:

Mr RN Cameron
Chairman Kilmacolm Civic Trust

Kaladan
Lochwinnoch Road
Kilmacolm
PA13 4DY

Mr S Jamieson
Head of Regeneration and Planning Inverclyde Council
Municipal Buildings
Greenock

4th February 2014

Dear Mr Jamieson

OBJECTION TO PLANNING APPLICATION 14/0005/IC:
Former ARP Station, Kilmacolm

The Kilmacolm Civic Trust Executive Committee considered this application on 23rd January 2014 and notwithstanding support for the approach to the design of the house, compared to that for which Inverclyde Council previously granted permission, nevertheless **wish to object.**

The Kilmacolm Civic Trust has consistently argued for a change to Planning Policy RES 7 which relates to the development of such Greenbelt sites, in order to enable a more sympathetic design for this very prominent gateway site. This is a point we have raised when considering the various applications for this site, and also when commenting on the Local Development Plan. Strict adherence to this policy has led to the granting of permission 13/0246/IC for a design which is inappropriate for the site and setting.

We note that Inverclyde Council has referred our comment on Policy RES 7, and our suggested re-wording of RES(7a), to the Scottish Government in their Inverclyde Council Local Development Plan Schedule 4 Referrals, for Adjudication. That indicates to the Kilmacolm Civic Trust that you have doubts about the wording, and your application of Policy RES 7, as it currently stands.

Because of the importance of this site there is a detailed history to our comments below.

Application 14/0005/IC

As we have previously stated, this former ARP Station development proposal is on an important gateway site to the village. Such a site is disproportionately important to the setting of the village, as it stands isolated from other development. There is another example in Kilmacolm on another such gateway site: at North Denniston. That development is an example of how the RES 7 policy of trying to replicate the existing design and footprint has resulted in what is considered by a very considerable number of the residents of Kilmacolm

to be a catastrophic failure of design for such a prominent entrance site: the entry to Kilmacolm as seen from the A761, and the Cycle Track, from Bridge of Weir. Surely the lesson needs to be learned and applied here for this new former ARP Station application. Please note that there is continuing strong criticism of the North Denniston development design, and its progressive enlargement in the same style, which sit very badly in its very clearly rural farmland environment.

We therefore welcome and support the approach adopted in this application compared to the previously approved art deco design (13/0246/IC). The pitched roof and more traditional style is more in keeping to this site, especially in the context of the adjoining building which we assume will at some stage be developed and we would ask, to be in a similar style to this site. However, such a site requires an especially well considered and developed design of merit which will add to the village and not detract from it. At present the current design lacks this quality, in fact it is poorly executed and lacks any sense of place or distinction. The Kilmacolm Civic Trust therefore **object** to this new (latest) application (14/0005/IC).

- It is still not appropriate to the countryside environment of the site.
- The design needs significant improvement, e.g:
 - Fenestration.
 - Positioning of doorways.
 - Massing and detailing of the roofline.
 - Use and positioning of the Velux windows.
 - The conflicting combination of architectural styles (e.g: the dormer windows; the chimney; the porthole windows).

Nevertheless, because we are supportive of the approach, we ask that Inverclyde Council

1. supports the principle of the design of a pitched roof and more traditional design; and to
2. work with the applicant to enable him to achieve a design of real quality on this prominent site

This is particularly important as it will set the design precedent for the nearby larger (and longer) building.

We hope that the Council will find these comments a constructive way forward in working to create an appropriate and quality design.

Yours Sincerely,

Nicol Cameron

R.N. Cameron (Chairman Kilmacolm Civic Trust)

**DECISION NOTICE DATED
17 FEBRUARY 2014**

DECISION NOTICE

Inverclyde
council

Refusal of Planning Permission

Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 14/0005/IC

Online Ref:000079600-001

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

Mr Kenneth MacConnecher
Ladymuir
Glenmosston Road
Kilmacolm
PA13 4PF

Canata And Seggie
Douglas Nicholson
Chartered Architects
7 Union Street
GREENOCK
PA16 8JH

With reference to your application dated 7th January 2014 for planning permission under the above mentioned Act and Regulation for the following development:-

Alterations to design of detached dwellinghouse and formation of garage / carport (variation to consent 13/0246/IC) at

Former ARP Station, Lochwinnoch Road, Kilmacolm

Category of Application: Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

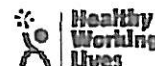
The reason for the Council's decision is:-

1. The proposal fails to respect the original scale, character, proportion and architectural integrity of the building, thus conflicting with Local Plan policy H18, proposed Local Development Plan policy RES7 and the design guidance in the Council's PPAN 5 and PAAN 8 for the residential conversion of buildings in the countryside, all to the detriment of the quality of visual amenity at this prominent site at the entrance to Kilmacolm village.

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

Dated this 17th day of February 2014

Head of Regeneration and Planning



- 1 - If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.

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

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

Drawing No:	Version:	Dated:
2314-LP	Rev A	01.08.2013
2314 D.003	Rev C	18.12.2013
2314 D.004	Rev D	06.01.2014
2314 D.005	Rev E	06.01.2014
2314 D.006	Rev E	06.01.2014
2314 D.008	Rev A	06.01.2014

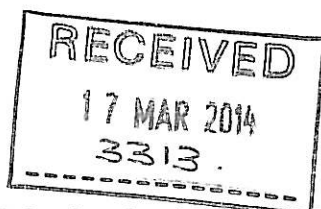
**NOTICE OF REVIEW FORM AND
SUPPORTING DOCUMENTATION**

2314/DN

INVERCLYDE COUNCIL LOCAL REVIEW BODY
PLANNING SERVICES
DEVELOPMENT CONTROL AND CONSERVATION
MUNICIPAL BUILDINGS
GREENOCK
PA15 1LS

12th March 2014

Dear Sirs,



Former ARP Station, Lochwinnoch Road, Kilmacolm
Notice of Review in connection with Planning Refusal Ref. 14/0005/IC

We confirm that we acted on behalf Mr Kenneth MacConnacher with regard to the above planning application which was refused by Inverclyde Council on 17th February 2014.

Please find attached our Notice of Review in respect of the above refusal for your consideration. The attached documentation is as follows:

- The completed Notice of Review form.
- The Statement of Review to the Local Review Body.
- The Report of Handling for the previous consent (13/0246/IC).
- The approved drawings for the previous consent (13/0246/IC).

We trust that this is in order and look forward to your confirmation of the receipt of the Notice of Review documentation.

Yours faithfully,

D. NICHOLSON B.Arch (Hons.) M.Arch. RIBA. ARIAS.
Chartered Architect, Director

\\theserve\projects\2300-2349\2314 - ken mac connacher, single dwellinghouse at former arp station\letters\letter with notice of review.doc



INVESTOR IN PEOPLE

e-mail: info@canseg.co.uk

web: www.canseg.co.uk

INTERIOR DESIGNERS • PROJECT MANAGERS • CDM CO-ORDINATORS

Canata and Seggie Chartered Architects is the trading name of Canseg Ltd. Registered in Scotland No 251859



NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be through this representative:

Yes No

* Do you agree to correspondence regarding your review being sent by e-mail? Yes No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

Review procedure

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

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

The appellant considers that the imposition of the guidance documents PPAN5, PAAN8, Local Plan policy H18 and proposed Local Development Plan policy RES 7, in as much as they demand the retention of the scale and character of the existing building, is inappropriate. The appellant believes that, in reflecting the scale and character of Kilmacolm generally, the proposals should be given the benefit of Planning Permission.

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Access to the site can be arranged by the appellant.

Statement

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

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Refer to attached Statement of Review to the Local Review Body.

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

Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

Statement of Review to the Local Review Body.

Report of Handling for previous Consent 13/0246/IC

Approved Plans for previous Consent 13/0246/IC, as follows:

- 2314_D.003 revision B
- 2314_D.004 revision B
- 2314_D.005 revision C
- 2314_D.006 revision C
- 2314_D.007 revision B
- 2314_D.008

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed FOR CANATA & SEGGIE

Date 12 MARCH 2014

Former ARP Station, Lochwinnoch Road, Kilmacolm

Mr. K. MacConnecher

14/0005/IC; Alterations to design of detached dwellinghouse and formation of garage / carport
(variation to consent 13/0246/IC)

Statement of Review to the Local Review Body

Introduction

1. The appellant owns the former ARP station on Lochwinnoch Road in Kilmacolm. This consists of two wartime buildings with flat roofs and rendered walls which were originally intended to provide decontamination facilities in the event of gas attack. The buildings were never used for this purpose. Latterly the buildings were used as office accommodation and storage space although these uses ceased some years ago and the buildings are currently disused.
2. The appellant has obtained two planning consents in respect of these buildings, as follows:
 - a. Detailed Planning Permission was obtained on 2nd December 2010 for the change of use of the buildings to 6no. dwellings (ref. 10/0237/IC). This involved the larger building on the site being converted to 5no. dwellings and the smaller building being converted to a single house. Operations on site in respect of this consent commenced on 7th November 2013 with the result that the consent is now "live".
 - b. Detailed Planning Permission was obtained on 7th November 2013 for the alteration of the design of the smaller building (i.e. the single dwelling), including the incorporation of the garage / carport (ref. 13/0246/IC).
3. The designs in respect of each of the above permissions were of a modern idiom which drew on and reflected the design of the original buildings.
4. The appellant submitted an application for Detailed Planning Permission for the further variation of the design of the single dwelling on 7th January 2014 (ref. 14/0005/IC). This application sought to alter the design to a more traditional, vernacular style drawing on the character of Kilmacolm in general. This application was refused on 17th February 2014 and our request for a review to the Local Review Body is in respect of this refusal.

Reason for Refusal

5. The reason for refusal set out in the decision notice is as follows:

"The proposal fails to respect the original scale, character, proportion and architectural integrity of the building, thus conflicting with Local Plan Policy H18, proposed Local Development Plan policy RES7 and the design guidance in the Council's PPAN 5 and PAAN 8 for the residential conversion of buildings in the countryside, all to the detriment of the quality of visual amenity at this prominent site at the entrance to Kilmacolm village".

Analysis of Reason for Refusal and Report of Handling

6. The report of handling and the policies referred to in the reasons for refusal presume that the "scale, character, proportion and architectural integrity" of the existing building are worthy of preservation and enhancement. Whilst this may be the case for many buildings in the countryside, the appellant considers the case for the retention of the character of this building to be weak.
7. Although satisfying the criteria for the conversion of buildings in the green belt the existing building is of no particular architectural merit, being described as "utilitarian" by the Planning officials themselves in the Report of Handling. The fact that there are very few other buildings of a similar "utilitarian" design in Kilmacolm places it at odds with the established character of the village, a situation which is exacerbated by the location of the building on the main western approach to the village.
8. Both PPAN5 and PAAN8 draw a distinction between the design of new buildings in the countryside and the conversion of existing buildings. Specifically, new buildings are required to have traditional characteristics such as windows with a vertical emphasis and roofs with a minimum pitch of 35°. Converted buildings, however, are expected to reflect the "scale, character, proportion and architectural integrity" of the existing building (a statement repeated in Local Plan policy H18 and paraphrased in Local Development Plan policy RES7). The appellant considers this distinction inappropriate and unfortunate in ruling out the potential for the dwelling design to accord with the traditional setting of Kilmacolm.
9. It is recorded in the Report of Handling of the successful Planning application referred to in 3b. that representations were received from both Kilmacolm Community Council and Kilmacolm Civic Trust. Both of these bodies expressed concern that the planning policy guiding the design towards a modern idiom was inappropriate. The point of view expressed by these bodies was that the design should reflect the character of the surrounding area and not that of the existing building, which was judged by these bodies to be out of character with its surroundings.

10. The appellant has sympathy with the views of Kilmacolm Civic Trust, Kilmacolm Community Council and the other objectors to the initial applications. As a Kilmacolm resident of long standing who intends living in the proposed house he feels a responsibility to protect the character and amenity of the village. The rejected proposal for which review is being sought was therefore prepared to more closely reflect the character of Kilmacolm with tiled pitched roofs and sympathetically proportioned fenestration.
11. The appellant notes that this revised proposal did not attract comment from Kilmacolm Community Council who, at their meeting of 28th January 2014 agreed not to object to the application. Although Kilmacolm Civic Trust commented on the proposal, their concerns involved detailing and the overall principle of the design was broadly welcomed by them.
12. Should our review be rejected, the appellant intends proceeding with the development in line with the previously granted consent (Planning Permission 13/0246/IC).

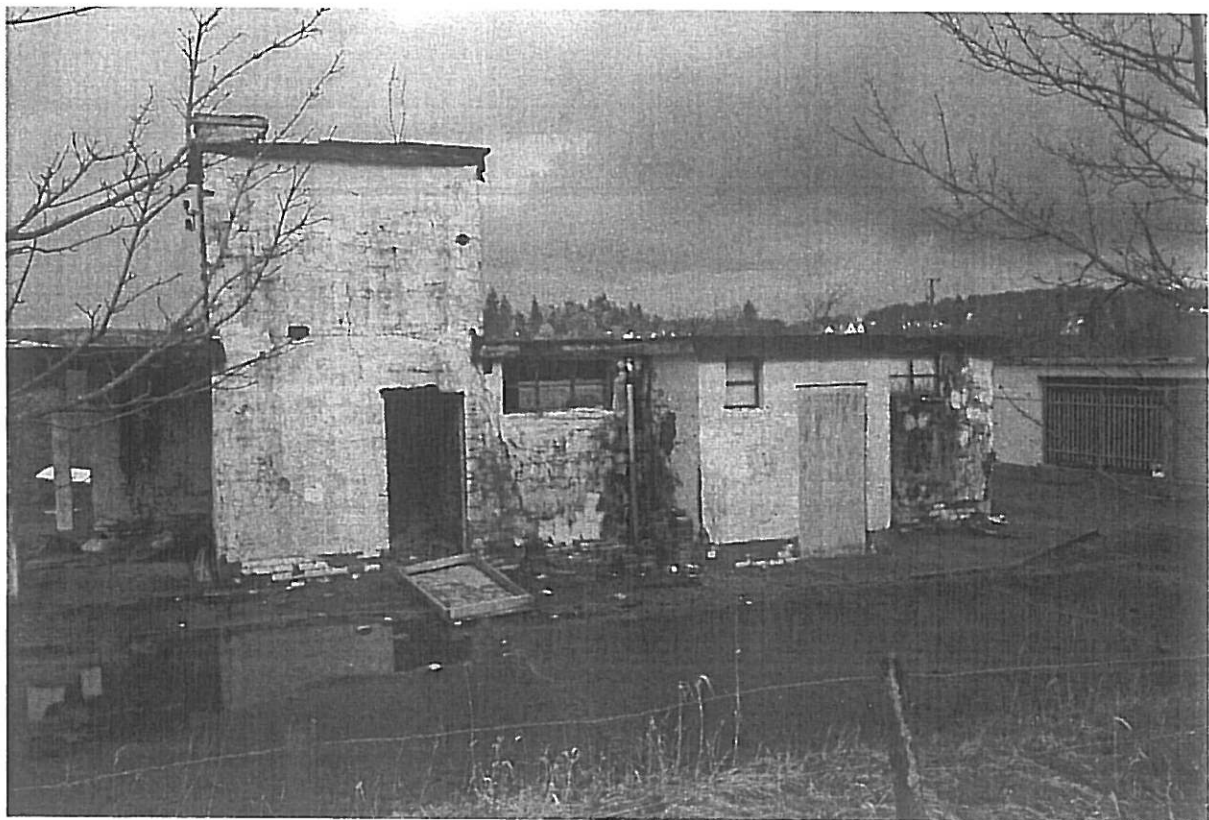
Summary

13. Although the appellant has secured Planning Permission allowing the conversions of the buildings on the site in a modern idiom, he feels a responsibility to the community of Kilmacolm to secure consent for a more traditional design reflecting the scale and character of the village as a whole and not necessarily the building being altered. It is on this basis that the appellant wishes the Local Review Body to consider the request to review Planning refusal 14/0005/IC and grant consent for this sympathetic and characterful proposal.

Appendix - Photographs



View of existing building from western approach to Kilmacolm (B786)



View of existing building from western approach to Kilmacolm (B786)



Adjacent development on the site of the former Pacemuir Mill.



Housing opposite the former Pacemuir Mill.

Report To: The Planning Board

Date: 6 November 2013

Report By: Head of Regeneration and Planning

Report No: 13/0246/IC
Plan 11/13

Local Application
Development

Contact
Officer: Guy Phillips

Contact No: 01475 712422

Subject: Alteration to design of a detached dwellinghouse and formation of a garage/carport (variation to 10/0237/IC) at
Former ARP Station at Lochwinnoch Road, Kilmacolm

SITE DESCRIPTION

The former ARP station at Lochwinnoch Road, approximately 80m west of Kilmacolm, comprises two flat roofed, single storey buildings of utilitarian design. There are no properties adjoining the site and it is bound on all sides by countryside. The site is fronted by beech hedging which has become overgrown.



PROPOSAL

In December 2010 planning permission was granted for the change of use and conversion of the buildings to form a terrace of five houses and a detached house. It is proposed to vary the design of the detached house by altering the floor plans and elevations and adding shallow pitched roofs. Also proposed is a detached garage with an attached car port, in the rear garden. External finishes are render and metal roofing.

DEVELOPMENT PLAN POLICIES

Local Plan Policy DS8 - Green Belt

There is a presumption against development in the designated Green Belt, as identified on the Proposals Map. Proposals will only be considered favourably in exceptional or mitigating circumstances and where the criteria for development in Policy DS10 for the 'Countryside' can be satisfied.

Local Plan Policy DS10 - Countryside

Development within the countryside (including the Green Belt) will be permitted only where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture and forestry;
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and contributes to the social and economic development of the area;
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site;
- (d) it entails appropriate re-use of vacant buildings which it would be desirable to retain for their historic or architectural character; or
- (e) it forms part of an establishment or institution standing in extensive grounds; and
- (f) it does not adversely impact on the landscape character;
- (g) it does not adversely impact on the natural heritage resource;
- (h) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (i) there is a need for additional land for development purposes, provided it takes account of the requirements of the Structure Plan; and
- (j) it complies with other relevant Local Plan policies.

Local Plan Policy H18 - Reuse of Buildings in the Green Belt and Countryside

Proposals for the conversion, re-use or rehabilitation of buildings in the Green Belt and Countryside will be supported provided that:

- (a) such buildings are structurally sound, largely intact and capable of conversion without recourse to substantial demolition and rebuild (the Council will require a structural suitability report to accompany planning applications);
- (b) the proposed development respects the existing character of such buildings in terms of scale, form, proportions and architectural congruity and creates a cohesive and satisfactory group of new houses;
- (c) proposed finishing materials and design details are compatible with the character of the existing structure;
- (d) such buildings no longer meet their original purpose (the Council will require clarification of a building's redundancy);
- (e) such a development can be sympathetically integrated into its setting (details of site surfaces, planting and boundary treatments will be required); and
- (f) infrastructural requirements, particularly roads and drainage matters, can be satisfactorily addressed.

Local Plan Policy DC1 - Development Control Advice

Inverclyde Council, as Planning Authority, will support applications for planning, listed building and advertisement consent, where applicable, which accord with the principles established in the Council's Planning Practice Advice Notes.

PPAN 5 "Design & Siting of Houses in the Countryside" applies.

PROPOSED LOCAL DEVELOPMENT PLAN POLICIES

Policy SDS8 - Green Belt and the Countryside

There will be a presumption against the spread of the built-up area into the designated Green Belt and careful management to prevent sporadic development in the designated Countryside, as identified on the Proposals Map.

Policy ENV2 - Green Belt and the Countryside

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

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

Policy RES2 - Development on Brownfield Sites

Development on brownfield sites for housing and community uses in the residential areas identified on the Proposals Map, and in particular the designated renewal areas, will be supported where it accords with Policies RES1 and RES5, except where:

- (a) an alternative use of greater priority or significant social and/or economic/employment benefit is identified; or
- (b) an alternative use is identified through an agreed area renewal initiative (refer Policy SDS7); or
- (c) it would result in an unacceptable loss of designated and locally valued open space (refer Policy ENV4).

Policy RES3 - Residential Development Opportunities

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

Policy RES5 - Proposals for Changes to Properties for Residential Use

Proposals for the change of use, sub-division or conversion to properties to create new additional dwelling units, and for the alteration or extension to residential properties, will be assessed against and have to satisfy where appropriate, the following criteria:

- (a) the character and amenity of neighbouring properties;
- (b) impact on the streetscape;
- (c) impact on the character of the existing property;
- (d) accordance with the Council's adopted roads guidance; and
having regard to Supplementary Guidance on Planning Application Advice Notes.

Policy RES7 : Residential Development in the Green Belt and Countryside

The development of new dwellings in the Green Belt and Countryside, identified on the Proposals Map, will be supported only if the proposal is for either a single or small group of dwellings not adjoining the urban area or the redevelopment of large habitable redundant buildings, that are for the most part intact and capable of conversion for residential use without recourse to substantial demolition and rebuilding, are acceptable with reference to Supplementary Guidance on Planning Application Advice Notes and fall within one a range of categories. The relevant category in this instance is:

- (c) redevelopment of large habitable redundant buildings, where the proposal requires to be supported by proof of the building's redundancy to demonstrate that it no longer meets its original purpose, as well as a structural survey indicating that the building may be utilised for the proposed use substantially in its current form, and that any proposed extensions to existing building(s) or ancillary new build element will need to be proven to be required to make the development financially viable, with details of costs to be submitted.

Consideration also requires to be given to PAAN 8 "Siting and Design of New Houses in the Countryside".

CONSULTATIONS

Head of Environmental and Commercial Services – No objections subject to the hedge along the site frontage being reduced and subsequently maintained at 1m high in order to maintain a safe visibility splay.

Head of Safer and Inclusive Communities - No objections subject to the attachment of conditions to control the spread of Japanese Knotweed and potential ground contamination and advisory notes on external lighting, drainage, vermin, CDM Regulations, flooding, septic tanks and seagulls.

Scottish Natural Heritage – SNH was consulted on the previous planning application. It advised that a condition be attached on the timing of roofing works in order to protect the interests of bats.

PUBLICITY

The application was advertised in the Greenock Telegraph on 30th August 2013 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

Written representations have been received from Kilmacolm Community Council and Kilmacolm Civic Trust.

The Community Council does not object but expresses concern that the Local Plan policy H4 is unduly restrictive upon changes to the design of the buildings to be re-used in the countryside.

Kilmacolm Civic Trust points out that it objected to the previous planning application for the site. It considers that the alteration to the design of the detached house makes little exterior difference, suggest changes to the wording of policy RES7 of the proposed Local Development Plan and raise issue that the location plan submitted with the planning application is out of date.

ASSESSMENT

The material considerations in the determination of this planning application are the Local Plan, the proposed Local Development Plan, the planning history of the site, the consultation responses and the written representations.



The principle of the conversion and re-use of the building as a house is established by the planning permission granted in 2010; it is therefore unnecessary to assess the proposal further against policies DS8 and DS10 in the Local Plan which support the re-use of vacant buildings in the countryside. The publication of the proposed Local Development Plan arises as a material consideration but I note that Policy SDS8 is similar to Local Plan policy DS8 and raises no new issues.

Proposed Local Development Plan policies RES2 and RES3 also require to be recognised. They combine to presume in favour of residential development on brown field sites identified as residential opportunities in Schedule 6.1 of which this is one.

While I note representations that this application should be assessed against Local Plan policy H4, the appropriate policies are Local Plan policy H18 and proposed Local Development Plan policy RES7; they combine to consider the re-use of buildings in the countryside. The policies support the principle of reuse of redundant buildings, but it rests to consider if the design is appropriate with particular reference to the existing building and the previous planning permission.

The current proposal is an evolution of the approved design. The change to floor plan, addition of shallow pitched roofs, alterations to fenestration and addition of a detached garage with integral car port combine, I consider, to produce an overall design which continues to respect the building's past. This consequently has a neutral impact on the streetscape, and I am further satisfied that the alterations to the approved design sympathise with approval to convert the adjoining building to five terraced units.

Overall, I consider that the changes to design maintain the position that the proposal is acceptable with reference to the Inverclyde Local Plan and the proposed Inverclyde Local Development Plan.

Considering the observations of the consulted parties not addressed by assessment against policy, I have no objections to the conditions and advisory notes recommended to be attached by the consultees. Overall, I also note that the consultation responses present no impediment to development. Finally, the suggested changes to the wording of policy RES7 in the proposed Local Development Plan as made in representation on this application are most appropriately considered through the process to approve the Plan.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. No development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority; development thereafter shall proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives.
2. Notwithstanding the information in the approved drawings, no development shall commence until details of bin storage have been submitted to and approved in writing by the Planning Authority.
3. If works are to be undertaken between March and October inclusive, roofing felt shall be removed by hand prior to renovation/demolition. If bats are subsequently found to be present SNH shall be contacted to advise on necessary licencing requirements.
4. 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 treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.
5. That the development shall not commence until an environmental investigation and risk assessment, including any necessary remediation strategy 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 acceptable codes of practice. The remediation strategy shall include

verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options.

6. That on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval in writing by the Planning Authority confirming that the works have been carried out in accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site.
7. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
8. The use of the development shall not commence until the applicant has submitted a completion report for approval, in writing by the Planning Authority, detailing all fill or landscaping material imported onto the site. This report shall contain information of the material's source, volume, intended use and verification of chemical quality (including soil-leachate and organic content etc) with plans delineating placement and thickness.
9. The planting scheme detailed in approved drawing 367.01.01 under planning permission 10/D237/IC shall be completed within the first planting season following completion of the development hereby approved; thereafter, any specimens which die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen, unless the Planning Authority gives its prior written approval to any alternative.
10. Prior to the house, hereby approved, being occupied the hedge along the site frontage shall be reduced in height to 1m: thereafter it shall be maintained at 1m high in perpetuity.

Reasons

1. To ensure a choice of finishes consistent with the countryside location.
2. In order to provide satisfactory measures for the storage and uplift of waste materials.
3. In order to avoid any offence being committed under the Habitats Regulations 1994.
4. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
5. To satisfactorily address potential contamination issues in the interests of environmental safety.
6. To provide verification that remediation has been carried out to the Authority's satisfaction.
7. To ensure that all contamination issues are recorded and dealt with appropriately.
8. To protect receptors from the harmful effects of imported contamination.
9. To ensure the provision of a quality landscape setting.
10. In order to ensure a safe sightline for vehicles exiting the site onto Lochwinnoch Road.

Stuart Jamieson
Head of Regeneration and Planning

BACKGROUND PAPERS

1. Application form and plans.
2. Inverclyde Local Plan.
3. Inverclyde Local Development Plan.
4. Consultation replies.
5. Letters of representation.
6. Planning permission 10/0237/IC



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**SUGGESTED CONDITIONS SHOULD
PLANNING PERMISSION BE
GRANTED ON REVIEW**

FORMER ARP STATION, LOCHWINNOCH ROAD, KILMACOLM (14/0005/IC)

Suggested conditions should planning permission be granted on review

Conditions

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