

My Ref:
Contact: James Weir
Telephone: 07483 370666
Email: dc@renfrewshire.gov.uk
Date: 9 September 2022



Mr Graham Bell
[REDACTED]

Proposal: Formation of extension to watersports storage compound with associated boundary fence, access and road
Location: Ground A, Lochlip Road, Lochwinnoch, ,
Application Type: Planning Permission-Full
Application No: 22/0414/PP

Dear Sir/Madam,

NOTIFICATION OF CONSENT

The Council has approved your application, details of which are given above. I enclose a Consent Notice, which also lists the conditions attached to the approval, together with a copy of your submitted plans duly endorsed and the Report of Handling.

I would specifically draw your attention to the notes attached to the consent regarding the interests of Scottish Water and The Coal Authority.

Please note that the full reasons as to whether the above Proposal is in accordance with the Development Plan (as required by section 37(2A) of the Town and Country Planning (Scotland) Act 1997) are found in the Report of Handling for your application which is attached as Appendix 1 and referred to for its terms which are deemed to be repeated, incorporated and forming part of this Decision Notice.

Yours faithfully,

[REDACTED]

Alasdair Morrison
Head of Economy and Development

Notes Regarding Scottish Water Interests

- a. It is the responsibility of the applicant to check Scottish Water's record plans regarding the position of its water and/or waste water assets prior to any work commencing on site. Plans available on written request from the Property Searches Department, Bullion House, Dundee, DD2 5BB.
- b. If a water main or sewer is affected, then no building shall be erected over or in such a way as to interfere with Scottish Water's right of access. The applicant must contact Scottish Water Operations, Technical Support team to ascertain what measures should be taken to safeguard this apparatus.
- c. Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head in the public main. Any property which cannot be adequately serviced using this pressure may require to have private pumping arrangements installed subject to compliance with the current water bylaws.
- d. The applicant must ensure that any new internal or external drain is connected to the correct drain or sewer.



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2021 until 31st December 2022

GRANT Consent subject to the conditions

Ref. 22/0414/PP



DECISION NOTICE

Town and Country Planning (Scotland) Act 1997
Planning etc. (Scotland) Act 2006
Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

TO Mr Graham Bell



With reference to your application registered on 13 June 2022 for Planning Consent for the following development:-

PROPOSAL

Formation of extension to watersports storage compound with associated boundary fence, access and road

LOCATION

Ground A, Lochlip Road, Lochwinnoch,

DECISION

The Council in exercise of their powers under the above Acts and Orders, having considered the above proposal, the plans endorsed as relating to it and the particulars given in the above application hereby:-

GRANT Consent subject to the conditions listed on the reverse/paper apart.

PLANS AND DRAWINGS

The plans and drawings relative to this permission are those identified in the Schedule of Plans/Drawings attached as a paper apart and forming part of this Decision Notice.

NOTE: It should be understood that this permission does not carry with it any necessary consent or approval for the proposed development under any other statutory enactments, for example Building (Scotland) Acts, Roads (Scotland) Act 1984 etc.

Dated: 9 September 2022

Signed 

Appointed Officer
on behalf of Renfrewshire Council

Ref. 22/0414/PP

CONDITIONS AND/OR REASONS ATTACHED TO THIS DECISION

PAPER APART

TERMS AND CONDITIONS

Reason for Decision

1. The proposal accords with the provisions of the Development Plan and there were no material considerations which outweighed the presumption in favour of development according with the Development Plan.

Conditions/Reasons

1. That all construction work associated with the implementation of the development hereby approved shall be undertaken in accordance with the Construction Method Statement dated the 23rd August 2022.

Reason: To reduce pollution risk in the interests of protecting the water environment
2. That prior to the commencement of development on site, the developer shall provide a plan for the written approval of the Planning Authority detailing the location of the path network to the northeast of the proposed storage compound within the area demarcated by a blue line on the approved location plan. Should the development be found to encroach upon the path network the plan shall provide details of the realignment of the path network and when works associated with the realignment of the path will be undertaken. Any works associated with the realignment of the path shall thereafter be undertaken in accordance with the approved plan.

Reason: To ensure the existing path network is protected in the interests of maintaining connections between the site and the national cycle network.

3. That prior to the commencement of development on site, the developer shall provide a species protection plan for the written approval of the Planning Authority. The plan shall set out measures to ensure that otters and nesting birds are protected during the construction process, and shall include provision for site surveys prior to work commencing and also for cessation of works should any otters or nesting birds be encountered. The development shall thereafter be implemented in accordance with the approved plans.

Reason: To ensure that appropriate measures are put in place to ensure otters and nesting birds are protected during the implementation of the development.

4. That prior to the commencement of development on site, the developer shall provide a plan and further details for the written approval of the Planning Authority specifying all

earth moving, associated level changes and wall retention required along the north western boundary of the site. The plan shall specifically detail these works in relation to the tree protection zones associated with the trees along the north western boundary. The plan shall take cognisance of the recommendations within BS 3857 (2012) Trees in Relation to Design, Demolition and Construction. Only the works detailed in the approved plan shall thereafter be implemented on site including any measures to protect the existing trees.

Reason: To ensure the trees along the north western boundary of the site are protected in the interests of natural heritage and visual amenity.

Notification of initiation of development

Notice under Section 27A(1) Town and Country Planning (Scotland) Act 1997

1. A person who intends to carry out development for which planning permission has been given must, as soon as practicable after deciding on a date on which to initiate the development and in any event before commencing the development, give notice to the planning authority as to that date.

2. The notice to be given in accordance with section 27A(1) of the Act by a person intending to carry out development must—

- (a) include the full name and address of the person intending to carry out the development;
- (b) state if that person is the owner of the land to which the development relates and if that person is not the owner provide the full name and address of the owner;
- (c) where a person is, or is to be, appointed to oversee the carrying out of the development on site, include the name of that person and details of how that person may be contacted; and
- (d) include the date of issue and reference number of the notice of the decision to grant planning permission for such development.

3. Your attention is drawn to Section 123(1) of the Town and Country Planning (Scotland) Act 1997 set out below.

“123 Expressions used in connection with enforcement

(1) For the purposes of this Act—

- (a) carrying out development without the required planning permission, or
- (b) failing to comply with any condition or limitation subject to which planning permission has been granted,

constitutes a breach of planning control.”

“27B Notification of completion of development

(1) A person who completes development for which planning permission has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

(2) If an application to a planning authority for planning permission discloses, in the opinion of the authority, that the development in question is to be carried out in phases then any such permission granted is to be granted subject to a condition, imposed under section 37(1)(a) in respect of each phase except the last (notice of the completion of which is to be given under subsection (1)), that as soon as practicable after the phase is completed the person carrying out the **Advisory regarding the Duration of Planning Permission in Principle, Planning Permission and Listed Building Consent**.

The following is advisory only and developers should satisfy themselves by reference to the relevant legislation if they are in any doubt regarding the duration of the permission

Planning Permission in Principle - Section 59 of the Town and Country Planning (Scotland) Act 1997 generally specifies that an application for approval of matters specified in conditions (requisite approval) must be made before the latest of (i) the expiration of 3 years from the date of grant of permission; (ii) the expiration of 6 months from the date an application for the requisite approval was refused; and (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed. A planning permission in principle generally lapses on the expiration of 2 years from the date of the requisite approval being obtained unless the development to which the permission relates is begun before that expiration.


Planning Permission and Listed Building Consent - Sections 58(1) and (3) of the Town and Country Planning (Scotland) Act 1997 generally specify that planning permission and listed building consent will expire after 3 years from the date on which it is granted unless the development to which it relates has been started, or that a different period has been specified in any condition attached to the permission.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning Act (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to Head of Legal and Democratic Services, Renfrewshire House, Cotton Street, Paisley PA1 1PR.

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, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Appendix 1

RENFREWSHIRE COUNCIL		Application No: 22/0414/PP
CHIEF EXECUTIVE'S SERVICE RECOMMENDATION OF PLANNING APPLICATION		Regd:26 June 2022
Applicant		Agent
Mr Graham Bell 		
Nature of Proposals Formation of extension to watersports storage compound with associated boundary fence, access and road		
Site Ground A, Lochlip Road, Lochwinnoch,		
Description <p>This application seeks planning permission for an extension to a watersports storage compound with associated boundary fence, access and road at Castle Semple Visitor Centre in Lochwinnoch. The visitor centre is located on the northern bank of Castle Semple loch. It is bound by the national cycle network to the north with the village beyond.</p> <p>Castle Semple comprises of the main visitor centre building with associated club house and pontoons. There is an existing area of car parking to the southwest. The land to the northeast is already partly used for storage, and there have been previous applications in 2012, 2018 and 2019 to incrementally expand this storage area.</p> <p>The proposed development includes these existing areas plus a further area of expansion to the northeast which will create an overall storage area of 7,500 square metres. The storage areas will be formed by scraping back the existing grassland and laying hardcore. The land slopes gently uphill from southeast to northwest, and gabion baskets will be used for retention where necessary to ensure the ground can be levelled appropriately. The storage area will then be enclosed with 2.4m high Vmesh security fencing. Within the storage area there will be a mix of racking to store the various boats and containers for other equipment. An indicative layout of the storage area has been provided in this regard.</p> <p>This application also includes road access which continues northeast past the proposed storage areas. Although a site visit indicates that the road has already been formed.</p>		
History Application No: 19/0431/PP Description: Formation of extension to water sports storage compound and erection of boundary fence Decision: Grant. Application No: 18/0052/PP		

Description: Formation of extension to water sports storage compound and siting of storage buildings.

Decision: Grant.

Application No: 12/0649/PP

Description: Erection of single storey building (Class 11) with associated access.

Decision: Granted subject to conditions.

Application No: 12/0180/PP

Description: Change of use from agricultural land to recreational use to include expansion of boat storage compound and erection of 2.4m high security fence.

Decision: Granted subject to conditions.

Policy and Material Considerations

Adopted Renfrewshire Local Development Plan 2021

Policy ENV1 – Green Belt

Policy ENV2 – Natural Heritage

Policy ENV4 – The Water Environment

Policy I3 – Flooding and Drainage

New Development Supplementary Guidance 2021

Delivering the Environment Strategy – Green Belt, Natural Heritage and The Water Environment

Delivering the Infrastructure Strategy – Flooding and Drainage

Delivering the Places Strategy – Regional Parks

Material Considerations

Publicity

The Council has undertaken neighbour notification in accordance with the requirements of legislation.

Objections/Representation

None received.

Consultations

NatureScot – No objection subject to condition regarding the implementation of works in accordance with the Construction Method Statement. Also recommend that species protection plans are prepared for otters and breeding birds.

Communities & Housing Services - (Environmental Protection Team) – No comments.

Environment & Infrastructure Services - (Roads) – No objection subject to conditions regarding the monitoring of parking provision and the safeguarding of existing connections to the national cycle network.

Informative to be added: N

Assessment

Policy ENV1 states that development within the green belt will only be considered acceptable where it can be demonstrated that it is compatible with the provisions of the new development supplementary guidance.

The supplementary guidance lists a range of developments that are considered appropriate within the green belt in principle. This includes recreational uses compatible with a natural environment setting, and tourism development.

Castle Semple Visitor Centre is a well-established location for recreational activities associated with the loch. The storage of boats and other equipment to support these activities is a fundamental part of the Castle Semple development, and there is already a boat storage compound at the site. Further development of this nature will be commensurate with the waterside setting, and will support Castle Semple as a recreation destination. The development is therefore considered to be appropriate in principle

All developments within the green belt must thereafter be assessed against the green belt development criteria.

In this instance there will be no loss of agricultural land and no impact on wild land.

In terms of traffic and access, the Environment and Infrastructure Service has offered no objections to the development. As noted above the access to the proposed storage area and the associated road to the northeast of the site has already been formed. The infrastructure does not have a significant impact on visual amenity or landscape character and is commensurate with the built up nature of the visitor centre.

It is not anticipated that the development will have a significant effect on public water supply.

In terms of effect on water courses from pollution risk, it is noted that NatureScot initially raised concerns over sediment and other pollutants entering the loch during the construction period. The applicant has therefore prepared a construction management plan to demonstrate how this potential pollution issue will be managed. NatureScot have confirmed that they have no objection to the development subject to the construction management plan being implemented on site during the construction phase.

The Environment and Infrastructure Service has requested that existing connections between the visitor centre and the national cycle network are retained. During the site inspection it was noted that a path has been cut through the grass on the eastern edge of the existing storage area to provide an informal link to the cycle network.

The proposed development will encroach upon this path. However, the applicant has advised that the path can be realigned if necessary to ensure the link is retained. A condition can be attached to ensure a plan showing the realigned route is submitted, with the route then brought into use thereafter in a timely manner. The applicant owns the land to the north east of the proposed storage area, and this provides flexibility for route options without land ownership constraints.

The proposed development constitutes the managed expansion of an existing and well-established facility. There is already a storage area at the site, and expansion of this area will not be incongruous with regard to landscape character. There is a line of mature trees which provide a landscape backdrop to the site. The use of the area for storage of boats is also commensurate with the waterside location. The proposed boundary fencing also matches the fencing which bounds the existing storage area.

Castle Semple Loch is designated as a Site of Special Scientific Interest (SSSI). As noted above the potential impact on the loch with respect to pollution risk will be managed via a construction management plan.

In terms of potential impact on protected species, NatureScot have also recommended that species protection plans are prepared regarding otters and nesting birds. A condition will be attached to ensure that these plans are implemented on site to safeguard these protected species.

In view of the above assessment, I am satisfied that the proposed development complies with the green belt development criteria. It is therefore considered to comply with Policy ENV1.

The above assessment has also demonstrated that the development complies with Policies ENV2 and ENV3, with measures put in place to manage the potential impact on protected species and the SSSI designated Semple Loch.

It is noted that due to the gradient of the site the most significant earthworks will take place along the north western boundary of the site adjacent to the row of mature trees that mark the edge of the cycle network. A condition can be used to request further details of the earthworks and any associated wall retention to ensure the root protection zones associated with the trees are not impacted. This will ensure that the trees are protected during the construction process.

In view of the above, I am satisfied that the development complies with Policies ENV2 and ENV3.

Policy I3 states that new development requires to avoid areas susceptible to flooding. The south eastern half of the site is within the flooding extents associated with the Semple Loch.

However, in this instance the proposed water sports storage compound is a water compatible use with respect to SEPA's land use vulnerability guidance. There is no sleeping or other residential accommodation proposed as part of the development.

On this basis I am satisfied that the development is acceptable within the flood risk area, and is compliant with Policy I3 on this basis.

The supplementary guidance on regional parks states that development within Clyde Muirshiel Regional Park will only be permitted where it can be demonstrated the assessment criteria have been met.

In this instance, the development is for a leisure use.

Nature conservation and landscape character matters have been considered above.

It is not anticipated that the development will cause significant conflict with neighbouring land uses.

A condition will be applied to ensure existing active travel networks are maintained. Habitat networks will be protected via adherence to the construction management plan.

The proposed development is commensurate with the location in terms of its scale and appearance, and there will not be a significant detrimental impact on the visual amenity of the area.

Finally, the development does not prevent recreational access to the area. It is anticipated that the development will enhance recreational access by improving storage of boats and other equipment at the site.

Regarding the consultation responses not already addressed in the above assessment, it is noted that the Environment & Infrastructure Services have requested a condition regarding the monitoring of car parking capacity at the site.

Car parking capacity is primarily an operational issue at the site. The proposed development will not result in the loss of any existing parking capacity, and the applicant has advised that the development will primarily allow for more efficient storage of boats and equipment as opposed to generating a significant increased demand which may in turn cause issues with parking. On this basis it is not necessary to apply a condition to the permission requiring monitoring of car parking capacity at the site.

Index of Photographs

No site visit was undertaken for this application.

RECOMMENDATION

Grant subject to conditions

Reason for Decision

1. The proposal accords with the provisions of the Development Plan and there were no material considerations which outweighed the presumption in favour of development according with the Development Plan.

Conditions

1. That all construction work associated with the implementation of the development hereby approved shall be undertaken in accordance with the Construction Method Statement dated the 23rd August 2022.

Reason: To reduce pollution risk in the interests of protecting the water environment

2. That prior to the commencement of development on site, the developer shall provide a plan for the written approval of the Planning Authority detailing the location of the path network to the northeast of the proposed storage compound within the area demarcated by a blue line on the approved location plan. Should the development be found to encroach upon the path network the plan shall provide details of the realignment of the path network and when works associated with the realignment of the path will be undertaken. Any works associated with the realignment of the path shall thereafter be undertaken in accordance with the approved plan.

Reason: To ensure the existing path network is protected in the interests of maintaining connections between the site and the national cycle network.

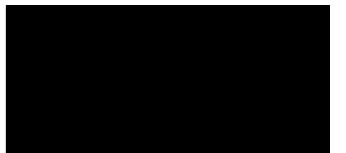
3. That prior to the commencement of development on site, the developer shall provide a species protection plan for the written approval of the Planning Authority. The plan shall set out measures to ensure that otters and nesting birds are protected during the construction process, and shall include provision for site surveys prior to work commencing and also for cessation of works should any otters or nesting birds be encountered. The development shall thereafter be implemented in accordance with the approved plans.

Reason: To ensure that appropriate measures are put in place to ensure otters and nesting birds are protected during the implementation of the development.

4. That prior to the commencement of development on site, the developer shall provide a plan and further details for the written approval of the Planning Authority specifying all earth moving, associated level changes and wall retention required along the north western boundary of the site. The plan shall specifically detail these works in relation to the tree protection zones associated with the trees along the north western boundary. The plan shall take cognisance of the recommendations within BS 3857 (2012) Trees in Relation to Design, Demolition and Construction. Only the works detailed in the approved plan shall thereafter be implemented on site including any measures to protect the existing trees.

Reason: To ensure the trees along the north western boundary of the site are protected in the interests of natural heritage and visual amenity.

Alasdair Morrison
Head of Economy and Development



Applicant: Mr Graham Bell	Ref. No: 22/0414/PP
Site: Ground A Lochlip Road Lochwinnoch	Officer: James Weir

Documents

Document	Document Attached (Admin) ✓	Document Attached and Signed ✓
Decision Letter	✓	✓
Decision Notice	✓	✓
Appendix 1 – Report of Handling	✓	✓

Plans to be stamped

Drawing Number	Drawing Title	Checked Paper/DMS (Officer) ✓	Stamped DMS (BS) ✓
/	Location Plan as Proposed	✓	✓
/	Block Plan 1:500	✓	✓
/	Site Plan 1:1250	✓	✓
/	Site Plan 1:200	✓	✓
/	Site Plan 1:200	✓	✓
/	Location Plan as Existing	✓	✓

Officers Initials: JW

Business Support Initials: __DM__

RENFREWSHIRE COUNCIL <small>Town and Country Planning (Scotland) Act 1997</small>	
Application No	22/0414/PP
Approved on	09.09.2022
Signed by	
<small>On behalf of Renfrewshire Council</small>	
<small>It should be understood that the planning permission does not carry with it any approval which may be necessary under the Building (Scotland) Act 2003 (as amended) or any other enactment.</small>	

22/0414/PP extension to water sports storage compounds in the Lochside field, Castle Semple Loch.

Figure 1) The Lochside field 05/2012

