

Ref: CM

Date: 29 April 2025

A meeting of the Planning Board will be held on Wednesday 7 May 2025 at 3pm.

Members may attend the meeting in person or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Tuesday 6 May 2025 how they intend to access the meeting.

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

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

LYNSEY BROWN
Head of Legal, Democratic, Digital & Customer Services

BUSINESS

1.	Apologies, Substitutions and Declarations of Interest	Page
2.	Planning Applications Report by Director Environment & Regeneration on applications for planning permission as follows:	
(a)	Mr David MacKinnon Change of use from dwellinghouse to short term let holiday home 23 Undercliff Road, Wemyss Bay (25/0034/IC)	p

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

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

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

Report To: The Planning Board

Date: 7 May 2025

Report By: Head of Service
Regeneration, Planning & Public Protection

Report No: 25/0034/IC

**Local Application
Development**

**Contact
Officer:** David Sinclair

Contact No: 01475 712436

Subject: Change of use from dwellinghouse to short term let holiday home at

23 Undercliff Road, Wemyss Bay.



SUMMARY

- The proposal is acceptable when assessed against the Development Plan, which comprises: National Planning Framework 4; the adopted 2019 Inverclyde Local Development Plan; and the proposed 2021 Inverclyde Local Development Plan.
- SEVEN objections have been received from TEN individuals raising concerns over: impacts on amenity, noise, disturbance, traffic, parking, security, management of the proposal and conflicts with title deeds
- The consultation responses raise no impediments to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=summary&keyVal=SSDX1EIMGEE00>

SITE DESCRIPTION

The application site comprises a one-and-a-half storey, detached dwellinghouse located on the east side of Undercliff Road, Wemyss Bay. The building is finished with a ridged grey concrete tile roof, with two front facing dormers; grey roughcast render walls with dark grey painted brick base course; white uPVC doors, windows and fascia trims; and black uPVC rainwater goods. A single storey extension is located across the rear elevation, finished with similar materials to the main house with the exceptions of a grey membrane flat roof and buff coloured brick base course along the rear elevation. The ground floor of the house is raised above the surrounding garden by around 0.5m and there are stepped accesses to the front and rear.

The rear curtilage contains a paved patio and areas of gravel behind the dwellinghouse. A raised border runs along the north and east sides of the patio, set above a retaining wall around 0.5m in height and is topped with a variety of soft landscaping. A raised timber deck topped with a grey timber shed is located in the easternmost corner of the site. Boundary treatments comprise a mixture of brick walls and fencing, largely covered by a mixture of trees and hedging. A hedgerow around 1.8m in height runs along the front boundary of the site and neighbouring property to the south. A retaining wall and fence divides front and rear garden areas towards the rear of the extension to the north. The front curtilage is mostly finished with a mixture of paving and gravel.

The site is set back from the road behind a grass verge and footpath approximately 8.3m in width and adjoins detached dwellings, set in similar sized plots to the south, open space and a four-storey flatted residential building to the north, the shoreline and Firth of Clyde to the west, and rows of garages to the east. The garages extend across around two-thirds of the rear garden directly north of the raised decking.

PROPOSAL

Planning permission is sought to change the use of the site from a residential dwelling to a short term let holiday home operating as a self-catering unit. The submitted plans do not show any alterations being carried out to the house associated with the proposed use.

The property contains three bedrooms, one with en-suite, a lounge, dining/kitchen, utility room and one bathroom and will accommodate a maximum of six guests with any given let. The property contains off-street parking in front of and to the side of the dwellinghouse capable of accommodating three cars.

It has been indicated that the lets will be available throughout the calendar year through a private letting agent, with a local cleaner employed to clean between changeovers. It has also been indicated that the property will be let in its entirety with individual lets being made available for 1 week between April and October and for stays of 3 or 4 nights between November and March, with a minimum let being 3 days over the winter months. It is anticipated that there will be around 35-40 private lets throughout the year. The applicant also intends on making the let available for family and friends during periods of low demand to maximise occupancy.

NATIONAL PLANNING FRAMEWORK 4 (NPF4)

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

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

Policy 1

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

Policy 14

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

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

Pleasant: Supporting attractive natural and built spaces.

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

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

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

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

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

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

Policy 30

e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 11 – Managing Impact of Development on the Transport Network

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

Policy 27 – Tourism Development

Proposals for change of use of tourism related facilities will only be supported where it can be demonstrated that they are no longer viable as a business in their current use.

Development of tourism related facilities will be supported in appropriate locations where:

- a) it avoids adverse impact on the amenity and operation of existing and adjacent uses;
- b) major trip-generating proposals can be accessed by sustainable means; and
- c) it is appropriately designed for its location and avoids significant adverse impact on the green network and historic buildings and places.

Inverclyde Planning Policy Supplementary Guidance – ‘Short Term Lets’ applies.

PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

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

Policy 12 – Managing Impact of Development on the Transport Network

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

Policy 20 – Residential Areas

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

Policy 27 – Tourism Development

Proposals for change of use of tourism related facilities will only be supported where it can be demonstrated that they are no longer viable as a business in their current use.

Development of tourism related facilities will be supported in appropriate locations where:

- a) it avoids adverse impact on the amenity and operation of existing and adjacent uses;
- b) major trip-generating proposals can be travelled to by sustainable modes of transport; and
- c) it is appropriately sited and designed for its location and avoids significant adverse impact on the resources protected by the Plan's historic buildings and places, and natural and open spaces chapters.

Inverclyde Planning Policy Supplementary Guidance – ‘Short Term Lets’ applies.

CONSULTATIONS

Head of Service – Roads and Transportation – Advises as follows:

- Parking should be provided in accordance with the National Guidelines. The existing property has 3 bedrooms, therefore, no additional parking is required.

- The proposed development is a 3 bedroom house. This requires 2 parking spaces. Should there be more bedrooms than mentioned above the Planning Service should advise.

PUBLICITY

An advertisement was placed in the Greenock Telegraph on the 14th March 2025 due to there being neighbouring land with no premises situated on it.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. Seven objections were received from ten individuals. Grounds for objection are summarised as follows:

Amenity impacts

- If the licence is granted and guests cause a significant disturbance, the applicant does not live locally and cannot deal with unruly guests. This potentially leaves elderly residents in a vulnerable position and scared in their own homes.
- Residents could be subjected to regular disturbances. This has been the case in numerous places elsewhere causing major upset to occupants.
- Little or no nearby amenities such as restaurants or pubs, the nearest being in Inverkip or Largs, increasing likelihood of holiday "Party Time" arising and going late into the night.
- Loss of amenity.
- Short term letting could lead to antisocial behaviour, noise and nuisance inappropriate to the area, and is totally out of character to the location.
- Potential for loud noise, parties and unruly guests impacting on peace and quiet of an already quiet neighbourhood.
- Should this venture be busy the more likely noise and disturbance will arise.
- Should this venture be quiet then it creates problems of there being an unoccupied property.
- Nature of short term lets with frequent arrivals and departures.

Operational concerns

- Concerns over applicant's ability to regularly supervise the proposed let.
- Concerns once change of use granted the property can be sold on and licence transferred with little control on how the property is let.
- Concerns over being able to guarantee certain types of bookings are not made.

Roads impacts

- Concerns about increased traffic, noise and damage to shared road and communal grounds, which are maintained privately by residents.
- Shared communal grounds and a shared unlit private access road mean short-term letting would be inappropriate due to potential security, noise and parking issues.

Other objections

- Conflicts with conditions in title deeds.
- Adverse effects on property values.
- The letters state there is no right of appeal. There are currently cases in Glasgow and Edinburgh Sheriff Courts where appeals against the granting of short term let applications are being heard.

ASSESSMENT

The material considerations in determination of the application are the National Planning Framework 4 (NPF4); the adopted 2019 Inverclyde Local Development Plan (LDP); the proposed 2021 Inverclyde Local Development Plan (LDP); Inverclyde Planning Policy Supplementary Guidance – ‘Short Term Lets’; the consultation response; and the objections received.

Location of Development and Policy Context

Both LDPs locate the application site within an established residential area and require consideration under Policies 1 and 14 of NPF4; Policy 1 of the adopted LDP and Policies 1 and 20 of the proposed LDP. As the proposal includes a change of use of the site to operate short term/holiday lets which are a tourism related use which will bring visitors to the site, Policy 30 of NPF4, Policies 11 and 27 of the adopted LDP and Policies 12 and 27 of the proposed LDP are also applicable.

Policy 1 of NPF4 requires consideration of the global climate and nature crises to be given to all development. Policy 14 of NPF4 and Policy 1 of both LDPs refer to qualities of successful places. The qualities of being Pleasant, Connected, Sustainable and Adaptable in Policy 14 are relevant to this proposal. These are reflected in the qualities of being ‘Adaptable’, ‘Resource Efficient’, ‘Easy to Move Around’, ‘Safe and Pleasant’ and ‘Welcoming’ in Policy 1 of both LDPs. The relevant factors in both LDPs to be considered ‘Adaptable’ is avoiding creating buildings or spaces that will become neglected or obsolete; ‘Resource Efficient’, is through making use of existing buildings and previously developed land; ‘Easy to Move Around’, by being well connected and recognising the needs of pedestrians and cyclists; ‘Safe and Pleasant’ through avoiding conflict with adjacent uses and minimising the impact on traffic and parking on the street scene; and ‘Welcoming’ by integrating new development into existing communities. Policy 1 of both LDPs also requires proposals to be assessed against relevant Supplementary Guidance which the Supplementary Guidance on ‘Short Term Lets’ is of relevance.

Policy 30 of NPF4 supports the reuse of existing buildings for short term holiday letting where they do not result in an unacceptable impact on the amenity and character of an area or result in the loss of residential accommodation, unless such a loss is outweighed by demonstrable local economic benefits. Policy 20 of the proposed LDP requires the proposal to be assessed with regard to the impact on the amenity, character and appearance of the area.

Change of use

The proposed change of use from a currently vacant dwellinghouse to a short term let holiday home is considered in general terms to accord with the quality of being Adaptable under Policy 14 of NPF4 and the qualities of being ‘Adaptable’ and ‘Resource Efficient’ under Policy 1 of both LDPs. As the proposal makes use of an existing dwelling within the urban area it is considered to accord with the terms of Policy 1 of NPF4.

The application site is located within an established residential area. In considering impacts on the character of the residential area, the supplementary guidance on ‘Short Term Lets’ provides guidance on the assessment of applications by providing additional clarity on amenity considerations and instances where short-term lets are more or less likely to be suitable. The guidance seeks to support applications in accessible locations and where there is a positive regeneration outcome and to advise where there may be an over-provision or concentration of short-term lets that harms the amenity of the locality. In this respect, the use being applied for is an alternative type of accommodation that is not considered out of character with the residential nature of the area.

In considering impacts on neighbouring amenity the objections received concerning noise, disturbance and parties are acknowledged. The use of the property for short term lets is not considered to result in a significant increase in levels of occupancy. It is noted that the property in question sits at the end of a row of detached properties and the density of the immediate surroundings offers both an established level of peaceful amenity as well as a degree of separation between the applicant’s property and nearby dwellings which would lessen impacts in

terms of noise and disturbance. Should there be any excessive noise from the use of the property this should be reported to the Council's Public Protection Service to investigate under their remit. Regarding concerns over security, any antisocial or criminal behaviour is a matter for Police Scotland to investigate.



View across rear curtilage facing south, with extension on right and stairs to raised deck on left sides of photo.

The use of the property as a short-term let is considered to have similar impacts in terms of privacy as the existing use as a dwellinghouse and is not considered to result in a loss of privacy to neighbouring properties. In considering frequency of arrivals and departures from persons using the short-term let the difference between the short-term lets proposed and the occupation of the property as a dwellinghouse is not considered to significantly vary to an extent which would have a detrimental impact on the character or amenity of the streetscape.

Policy 30 of NPF4 relates to tourism and sub-section e) refers specifically to short-term lets. The house is located within a residential area and is proposed to be used primarily as holiday lets for people visiting the area. It is acknowledged there will be a loss of residential accommodation however visitors using the house are likely to spend money in the local area during their stay and this will contribute to the vitality and viability of the local economy.

In assessing whether the proposal results in an over-provision or concentration of short-term lets, the guidance on 'Short Term Lets' advises that short-term lets should generally remain less than 10% of dwellinghouses per street. It is noted that there currently are no short-term lets on Undercliff Road and the development is not considered to result in an over-provision or concentration of short-term lets. The scale of the proposal is not considered to significantly impact on the wider housing market.

In assessing the site's connectivity, the concerns raised in the objections over a lack of local amenities such as restaurants and pubs is noted. In terms of offering access to sustainable modes of travel the site is around 850m from the nearest bus stops on the A78 and around 1.4km from Wemyss Bay railway station. The site provides opportunities for walking and cycling, with Undercliff Road forming part of the core path network and is also accessible to local facilities at the Ardgowan Road, Wemyss Bay local centre which is located around 800m north-east of the

site. Although the distance of the nearest railway station from the site is beyond that which would likely encourage occupants to use this mode of transportation, the site is accessible to local facilities and sustainable transport modes due to its proximity to bus stops which are used by local and regional bus services and provide direct access to larger settlements in the area which offer a greater range of facilities. It stands that the development can be considered to meet the qualities of being Connected in Policy 14 of NPF4 and 'Easy to Move Around' in Policy 1 of both LDPs.

Traffic, Parking and Road Safety

In considering the impacts of the development on traffic and parking on the street scene, the concerns raised in the objections around frequent arrivals and departures, parking and traffic are noted. The Head of Service – Roads and Transportation has been consulted with regard to matters relating to traffic, parking and road safety. She raises no objections to the development in terms of increased traffic, parking or road safety, noting that the parking requirements will remain the same for both uses. The site contains the required levels of off-street parking to accommodate the proposed use and does not raise any concern in this regard. The maintenance of Undercliff Road is a civil matter to be discussed and agreed between the relevant parties and is not of relevance to the determination of this planning application. Based on the above, it is considered unlikely that the proposal will have an adverse impact on the operation of the transport and active travel networks and therefore it can be considered to accord with Policy 11 of the adopted LDP and Policy 12 of the proposed LDP. The proposal can also be considered to meet the quality of being 'Safe and Pleasant' through minimising impacts on traffic and parking on the street scene.



Application site as viewed from Undercliff Road facing east in front of driveway access.

The use applied for does not result in an unacceptable impact on local amenity or on the character of the residential area and does not propose any changes to the appearance of the building or wider streetscape, therefore it stands to be in accordance with Policy 20 of the proposed LDP. Taking into consideration all of the above assessment, the proposal can also be supported under Policy 30 of NPF4 and accords with Policy 27 of both LDPs. The proposal can be successfully integrated into the existing community, as required under the 'Welcoming' quality in Policy 1 of

both LDPs. The proposal offers accommodation for people visiting the area, allowing opportunities for holidaymakers to stay in the area and contribute towards the local economy. On balance, the proposal can be considered in accordance with the 'Sustainable' quality in Policy 14 of NPF4. Taking into account all of the above assessment, the proposal can be considered to meet all relevant qualities of successful places, as required in Policy 14 of NPF4 and Policy 1 of both LDPs.

Representations

Turning to points raised in the objections not yet addressed, conflicts with title deeds are a separate civil matter to be discussed and resolved between the parties involved. Impacts on property values and future sales of the property to another party are speculative in nature and not a material consideration in the determination of this application.

Regarding the comments on objectors rights to appeal, there is no third-party right of appeal on planning decisions. If a third party considers that the planning permission was granted unlawfully, and due procedure was not followed they can challenge the decision through a judicial review in court. The judicial review process can only consider the lawfulness of the procedure that the Council took in coming to the decision, it is not to consider the planning merits of the case. The cases referenced could also relate to licensing application appeals and any appeals in this regard are of no relevance to the determination of this planning application.

Conclusion

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal makes use of an existing dwellinghouse within proximity to local facilities and public transport which would contribute to the sustainability of the development and would have an acceptable impact on the surrounding residential area. The proposal accords with Policies 1, 14 and 30 of NPF4, Policies 1, 11 and 27 of the adopted LDP, Policies 1, 12, 20 and 27 of the proposed LDP and Inverclyde Planning Policy Supplementary Guidance on 'Short Term Lets'. The proposal is in accordance with the relevant Plan Policies and there are no material considerations which would warrant the refusal of planning permission. Approval should therefore be given to this application.

RECOMMENDATION

That the application be granted subject to the following condition:

1. The development to which this permission relates must be begun within 3 years from the date of this permission.

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

Neale McIlvanney
Head of Service
Regeneration, Planning & Public Protection

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