

Ref: CM

Date: 29 July 2025

A meeting of the Planning Board will be held on Wednesday 6 August 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 5 August 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 Reports by Director Environment & Regeneration on applications for planning permission as follows: | |
| (a) | Mr Hubert Fol Erection of flatted building including associated access and car parking (in principle): Ground adjacent to Glenpark Court, 29 Fox Street, Greenock (25/0075/IC) | p |
| (b) | New Space Stays Limited Change of use of flat to short term let: Flat Ground 1, 2 Mount Zion, Church Road, Quarriers Village (25/0081/IC) | p |
| (c) | Bluestone Energy Limited Construction and operation of Dougliehill 49MW (AC) Battery Energy Storage System (BESS), associated infrastructure and miscellaneous works (Major): Land at former Dougliehill Water Treatment Works, Dougliehill Road, Port Glasgow (25/0033/IC) | p |
| (d) | Harmony HM Limited Siting of Battery Energy Storage System (BESS) of up to 400MW capacity, associated access improvements, substation, construction compound/laydown and ancillary works including landscaping and SUDS: Land at Loganwood House, High Matherdock Farm, Kilmacolm (25/0001/EAA) | 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.

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

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

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

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

Report To: The Planning Board

Date: 6th August 2025

Report By: Interim Director - Regeneration

Report No: 25/0075/IC

**Local Application
Development**

**Contact
Officer:** Carrie Main

Contact No: 01475 712413

Subject: Erection of flatted building including associated access and car parking (in principle) at
Ground Adjacent to Glenpark Court, 29 Fox Street, Greenock



SUMMARY

- The proposal is acceptable when assessed against National Planning Framework 4.
- The proposal accords with the adopted and proposed Inverclyde Local Development Plans.
- There have been 22 representations objecting to the application.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

[25/0075/IC | Erection of flatted building including associated access and car parking \(in principle\). | Ground Adjacent To Glenpark Court 29 Fox Street Greenock](#)

SITE DESCRIPTION

The application site is a rectangular shape, covering an area of 515 square metres. It is vacant ground covered in vegetation (bushes, trees) and paths. It was formerly associated with and utilised as garden ground/open space of properties on Ardgowan Street. It is located on the south side of Fox Street, opposite the Cricket Club, adjacent to the Glenpark Court flatted development and behind the traditional villas on Ardgowan Street. The site is located within the Greenock West End Conservation Area. It is bound and surrounded by 2-metre-high brick boundary wall with a 1.8m high timber fence and hedging at the southern end of the site, delineating it from the rear gardens of properties which front onto Ardgowan Street. The site cannot currently be viewed from the road given the boundary treatments however the vegetation extends above the boundary walls. The garages with the parking court of Glenpark Court (flatted development adjacent to the site) adjoin the side (eastern) boundary of the site. Topography is relatively flat. Two dilapidated outbuildings exist centrally within the site. A gated pedestrian access is located centrally at the northern boundary, providing access onto the Fox Street. The surrounding area is an established residential area with a variety of residential properties in the form of flats and detached villas.

PROPOSAL

Planning permission in principle is sought for the erection of new build residential flats including associated access and car parking.

The indicative proposed site plan locates a square shaped, three storey building, which covers a footprint of 175 square metres positioned on the northern half of the site, fronting Fox Street, with vehicular access taken from Fox Street which leads past the eastern side of the building to a parking court at the rear/southern end of the site.

The floor plans specify that 5 flatted properties are to be accommodated within the building, 2 properties on the ground floor (1 no.2 bed and 1 no.1 bed), 2 within the first-floor level (1 no.2 bed and 1 no.1 bed) with 1 property on the second floor and top level (1 no.2 bed penthouse flat). Each property is to feature a terrace/balcony to the front elevation, facing Fox Street.

The building is to contain a double apex pitched roof with vast fenestration to the front elevation whereby glazed doors access terraces/balconies with glazed balustrades. The terraces/balconies form a 'stepped' back configuration from Fox Street. The plans/visualisations indicate a modern design with external walls finished in render.

The main and communal access door to the flats is on the rear elevation. The parking court contains 8 car parking spaces, 5no. bicycle parking, a bin storage area. Soft landscaping is incorporated at the front curtilage, at the rear elevation, and to the side/rear boundary of the site.

As this is an application for planning permission principle only, no significant matters of detail are assessed at this stage and plans are indicative only. This application is to assess the principle of residential flatted development specifically with associated access and parking.

NATIONAL PLANNING FRAMEWORK 4

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

Policy 1- Tackling the climate and nature crisis

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

Policy 2- Climate mitigation and adaptation

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

Policy 7- Historic assets and places

- a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:

- i. architectural and historic character of the area;
- ii. existing density, built form and layout; and
- iii. context and siting, quality of design and suitable materials.

- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.

Policy 14- Design, quality and place

- 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 15- Local living and 20-minute neighbourhoods

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

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

Policy 16- Quality Homes

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

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

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

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

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

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

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

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

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

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

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

ADOPTED 2019 DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

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

Policy 6 - Low and Zero Carbon Generating Technology

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

Other solutions will be considered where:

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

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

Policy 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);
- b increase the level of flood risk elsewhere; and
- c reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 10 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- a provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- b include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in Council-approved strategies, subject to adequate mitigation of the impact of the scheme on:

development opportunities; the amenity and operations of existing and adjacent uses; the green network; and historic buildings and places.

Policy 11 - Managing Impact of Development on the Transport Network

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

Policy 16 - Contaminated Land

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use.

Policy 28 - Conservation Areas

Proposals for development within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Policy 33 - Biodiversity and Geodiversity

Natura 2000 sites

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

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

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

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

Local Nature Conservation Sites

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

Local Landscape Area

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

Non-designated sites

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

Policy 34 - Trees, Woodland and Forestry

The Council supports the retention of ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a it can be clearly demonstrated that the development cannot be achieved without removal;
- b the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council. This will also cover the protection of ancient woodlands and the management and protection of existing and new trees during and after the construction phase.

Proposals for new forestry/woodland planting will be assessed with regard to the Supplementary Guidance to be prepared in association with the Clydeplan Strategic Development Plan, and the UK Forestry Standard.

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

PROPOSED 2021 DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

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

Policy 6 - Low and Zero Carbon Generating Technology

Support will be given to all new buildings designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and

operation of low and zero carbon generating technologies. This percentage will increase to at least 25% by the end of 2025.

Other solutions will be considered where:

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

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

Policy 9 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- o be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- o increase the level of flood risk elsewhere; and
- o reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood risk management schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

Policy 10 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 4th edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place, which identifies who will be responsible for maintenance and how this will be funded in the long term.

Policy 11 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- o provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, including links to the wider walking, cycling network and public transport network; and
- o include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in national, regional and Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; and the resources protected by the Plan's historic buildings and places and natural and open spaces chapters

Policy 12 - Managing Impact of Development on the Transport Network

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network.

Development should comply with the Council's roads development guidelines and parking standards, including cycle parking standards.

Developers are required to provide or financially contribute to improvements to the transport network that are necessary as a result of the proposed development.

Policy 17 - Brownfield Development

The Council offers in principle support for proposals to bring brownfield sites in the urban area into beneficial use.

Proposals for the temporary greening of brownfield sites will be supported where it is demonstrated that they will deliver a positive impact to the local environment and overall amenity of the area. For sites identified for development in this Plan, temporary greening projects should not prejudice the future development of the site.

Proposals for advanced structure planting to create a landscape framework for future development on sites identified in the Plan will be supported.

Development proposed on land that the Council considers to be potentially contaminated will only be supported where a survey has identified the nature and extent of any contamination present on site and set out a programme of remediation or mitigation measures that are acceptable to the Council and ensure that the site can be made suitable for the proposed use.

Policy 18 - Land for Housing

To enable delivery of the Clydeplan Strategic Development Plan housing supply target for Inverclyde, new housing development will be supported on the sites identified in Schedule 3, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Design Guidance for Residential Development, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

The Council will undertake an annual audit of housing land in order to ensure that it maintains a 5 year effective housing land supply. If additional land is required for housing development, the Council will consider proposals with regard to the policies applicable to the site and the following criteria:

- a) a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- b) there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan;
- c) that the proposal is for sustainable development; and
- d) evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages to be for affordable housing. Supplementary Guidance will be prepared in respect of this requirement.

Policy 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 28 - Conservation Areas

Proposals for development, within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area.

Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Applicants should demonstrate that every reasonable effort has been made to secure the future of the building. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Policy 33 - Biodiversity and Geodiversity

European sites

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

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

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

Development affecting Sites of Special Scientific Interest will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised, or if any significant

adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

Protected Species

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

Local Nature Conservation Sites

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

Non-designated sites

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

Policy 34 - Landscape

The siting and design of development should take account of local landscape character and setting in order to conserve, enhance and /or restore landscape character and distinctiveness. Development should aim to conserve those features that contribute to local distinctiveness including:

- a) the setting of buildings and settlements within the landscape
- b) the pattern of woodlands, fields, hedgerows and trees; especially where they define/ create a positive settlement/ urban edge
- c) the character and distinct qualities of river corridors
- d) historic landscapes
- e) topographic features, including important/ prominent views, vistas and panoramas

When assessing development proposals likely to have a significant impact on the landscape, the guidance contained in the Glasgow and Clyde Valley Landscape Character Assessment will be taken into account.

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

Policy 35 - Trees, Woodland and Forestry

The Council supports the retention of trees, including ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a) it can be clearly demonstrated that the development cannot be achieved without removal; or

- b) the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c) compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council.

Proposals for new forestry/woodland planting will be assessed with regard to the policies of this Plan and the Forestry and Woodland Strategy for the Glasgow City Region

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

CONSULTATIONS

Head Of Roads and Transportation –

1. Parking should be provided in accordance with the National Guidelines:

| | |
|--------------|------------------|
| 1 bedroom | 1 parking space |
| 2-3 bedrooms | 2 parking spaces |
| 4 bedrooms | 3 parking spaces |

Visitor parking should be 0.25 spaces per dwelling and bicycle spaces should be 1 per dwelling.

2. The proposed development has 2no. 1-bedroom properties which requires 1 parking space each and 3no. 2-bedroom properties which requires 2 parking spaces each. The total parking requirement is 8no parking spaces and 2no visitor parking spaces. There should be 5no cycle parking spaces.

The current layout is not acceptable as it does not meet the parking requirements.

3. The parking spaces shall be a minimum of 2.5m by 5.0m with a minimum aisle spacing of 6.0m.
4. The access should be a minimum of 4.8m wide for at least 10.0m and the gradient should not exceed 10%.and be formed via a footway crossover
5. The access footpath to the building shall be a minimum of 2.0m wide.
6. The applicant shall demonstrate a visibility splay of 2.4m x 20.0m x 2.0m can be achieved from the site access on to Fox Street. It shall be conditioned that this is retained in perpetuity.
7. A Section 56 Agreement will be required for any changes to the public road network.
8. The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site.

A system of lighting shall be kept operational at all times within the existing public adopted areas

9. Submitted Flood Risk Assessment is acceptable and shows the site is not at risk from fluvial, pluvial and coastal flooding. The FRA has been self-certified and independently checked.
10. The drainage strategy within the FRA indicates surface water runoff from the development being restricted to 5l/s. Attenuation of surface water is proposed via filter trench with a max storage capacity 28m³. Discharged is proposed as a formal connection to the combined sewer system on Fox St.

At the appropriate stage in the application, a fully developed surface water management plan(s) shall be submitted in accordance with Flood Risk Assessment and Surface Water Management Assessment: Planning Guidance for Developers (March 2024). The applicant shall also complete and submit the checklist within Annex B of said guidance document which will assist the application.

11. At the appropriate stage in the application, discharge locations must be identified, and the applicant must confirm approval in principle from the owner. If proposing to discharge into the public sewer network, then confirmation that Scottish Water will accept the flows must be included with the application.

Head of Public Protection - conditions are recommended to be placed on any grant of permission relating to contaminated land. Advisory notes requested relate to site drainage, vermin, drains, sewers, construction regulations, external lighting and further consultation requirements.

PUBLICITY

The application was advertised in the Greenock Telegraph on 30th May 2025 as a development affecting a conservation area.

SITE NOTICES

A site notice was posted on 30th May 2025 for development affecting a conservation area.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification whereby 22 representations were received objecting to the application. The comments received are summarised below:

Residential amenity and parking

- The proposed flats would overlook neighbouring gardens and impact privacy.
- The parking requirement for Glenpark Court has increased (younger residents) making parking in the area more difficult. More flats would increase parking requirement which cannot be accommodated.
- Balconies will overlook neighbouring properties.
- Parking on street is already a major issue - this development would exacerbate this problem.
- Concern that it may block light to neighbouring flats.
- As building will be tight on the boundary with Glenpark parking court, scaffolding will need to be placed in the parking area for a considerable time which will disrupt current parking provision. Legally not willing to give consent for this.
- Disruption and nuisance caused to neighbouring residents during construction.
- Design should be considered carefully to not allow overlooking.
- Car parking and bin storage adjacent to rear gardens will cause noise disruption, smell and vermin.
- Light pollution.
- This is 3rd set of flats within 200 yards of each other - overdevelopment.
- This is backland development and inappropriate.
- The proximity of the flats will cause overlooking issues.
- The land is in use as a private garden, part of the Church of Scotland General Trustees Manse at 50 Ardgowan Street. It serves a valid purpose as private open space.
- The height and design of the building will mean that the loss of privacy. The back of properties and rear gardens will be overlooked from both the first floor and second floor at the eastern side of the building as there are windows in the lounges which face Ardgowan Street.
- The residents of Union Street will be impacted by loss of light.

Impact on the conservation area

- The design is glaringly modern and detracts from the character and amenity of the conservation area.
- This is a conservation area and an inappropriate and insensitive site to develop.
- Overdevelopment to accommodate 5 flats within this former garden ground in the conservation area.
- The timber cladding proposed will fade to grey.
- The soft landscaping at the front will not be maintained.
- This site has an open aspect and will be seen by everyone in the square.
- Development is not in keeping with the style, detailing and scale of other properties in the local area.
- Comparisons should not be drawn with Glenpark Court flats which were built before the conservation area was defined.

Environmental

- Impact on the local environment.
- Trees would have to be removed.
- No Environmental Statement or a Habitat Survey was submitted. Concern for local wildlife and nesting birds.
- The presence of trees acknowledged in the Topographical Survey, however species and age not specified.
- The land has several mature trees that support bats, birds, insects and mammals. The development does not include any green space and would have a significant negative impact on local biodiversity.

Procedural

- No neighbour notification letter was received from the Council.

Other

- Nothing has changed from previously proposed flatted development on this site.
- Will traffic orders or parking regulations be required to permit access to off street parking?
- New development at Madeira Street is enough.
- Don't repeat the mistakes of the 60s.

These comments will be addressed in the assessment below.

ASSESSMENT

The material considerations in the determination of this application are: National Planning Framework 4 (NPF4); the adopted Inverclyde Local Development Plan; the proposed Inverclyde Local Development Plan; the adopted and draft Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development"; Historic Environment Scotland's Policy for Scotland and "Managing Change in the Historic Environment" guidance note series, the Greenock West End Conservation Area Appraisal, the visual impact, the impact within the Conservation Area, the impact on residential amenity, the consultation responses and the objections received.

Policy Context

The site is within an existing established residential urban area within Greenock and therefore is a sustainable location that is generally consistent with the terms of Policies 1, 2, 15 and 16 of NPF4.

The Spatial Development Strategy of both the adopted and proposed Local Development Plans also directs residential development to existing built-up areas in the first instance, which this proposal complies with.

Policy 7 of NPF4 and Policy 28 of both the adopted and proposed Local Development Plans advise on development proposals affecting conservation areas, stating that such proposals require to preserve or enhance the character and appearance of the area. It is further advised that in assessing such proposals information relating to the historic or architectural value of the conservation area requires to be considered.

Historic Environment Scotland's "Managing Change in the Historic Environment" guidance note on "Setting" advises that setting can be important to the way in which historic places are understood, appreciated and experienced, and provides guidance on factors to be considered in assessing the impact of a change on the setting of a historic asset or place. Whilst it is acknowledged that there has been pressure for infill residential development, Historic Environment Scotland's Policy for Scotland explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

The Greenock West End Conservation Area Appraisal identifies the application site as being within the 'Central Character Area', which is varied in architectural style and property type, features smaller plot sizes and generally follows a regular grid pattern. There is a mix of single storey cottages, small to medium sized detached and semi-detached houses, terraced houses and a small representation of tenements. The street pattern changes from buildings addressing the street and built close to the street line, to detached houses set back from the road. The Appraisal specifically notes Ardgowan Street as being more mixed in terms of property type and design. It goes on to advise that in assessing planning applications, the Council shall consider them in relation to the relevant Local Development Plan. It is noted that new development should follow existing plot ratios. Sensitive development maintaining the scale and density of the character area can be accommodated reasonably well. A high proportion of the villas have retained their grounds and maintain the character of the area.

Policy 1 of both Plans requires all development to have regard to the six qualities of successful places. The relevant factors in respect of this development contributing to the qualities of successful places are being "Distinctive" in reflecting local architecture and urban form (expanded to "respect landscape setting and character, and urban form" and "reflect local vernacular/architecture and materials" in the proposed Local Development Plan) and contributing positively to historic places; and being "Safe and Pleasant" in avoiding conflict with adjacent uses in respect of overshadowing, privacy and noise.

Policy 18 supports new housing development on sites identified in Schedule 3 and on other appropriate sites within residential areas. The site is not identified in Schedule 3.

Policy 20 of the proposed Plan additionally requires development within residential areas to be assessed regarding impact on the amenity, character and appearance of the area.

The principle of development and impact on the conservation area

Turning to the specific site as well as the position and possible design of the development there are other policies and advice that are relevant to this proposal. Both the adopted and draft PAAN3 advise on plot sizes for residential development and on private garden ground respectively. PAAN 3 refers to the plot and garden sizes reflecting those in the locality as well as according with established density and pattern of development. The distance to garden boundaries should also reflect the immediate locality, together with the established street front building line. Height, roof design, use of materials and colours should reflect the immediate locality and ensure no adverse implications to the functionality of surrounding uses, character of the area and residential amenity.



View of the site looking south from Fox Street

In first considering the historical pattern of development, it is appropriate to consider this in the context of the adjacent plots. Historically, the application site would have been associated with 50 Ardgowan Street, which dates from the mid-19th century. Infill residential plots, specifically, 48 Ardgowan Street were developed in the 1960s and further in the 70s and 80s with the development of three storey flatted development of St Andrews Court on the site of the former St Andrews Church. Furthermore, the development of the four-storey flatted development, Glenpark Court, which was developed from two detached buildings set back from the road and accessed by a common driveway.

The assessment of the proposal requires to be in the context of both the Conservation Area location and the wider pattern of development. Whilst historically located within the curtilage of an existing house, 50 Ardgowan Street fronts and takes access from Ardgowan Street, and this site is proposed to be accessed and front Fox Street. The existing boundaries around the site explicitly delineate the site from 50 Ardgowan Street, and it is considered that the plot ratio of 50 Ardgowan Street even with the loss of this site, remains characterised as being set within a large plot. It is therefore not considered that a “backland” development would occur. The development of this site also generally safeguards the urban form and characteristics of the conservation area.

In further considering the urban form of the wider block, predominantly properties are located to front and be accessed by Ardgowan Street and Union Street. However, a large traditional, semi-detached property (36 and 36A) fronts Margaret Street, which mirrors the application site, within this block. It is acknowledged that within this vicinity, the urban form is varied in terms of location of plots and design. This reaffirms that the plot could be developed without a detrimental impact to the built form and pattern of development.

There are also a variety of plot sizes in the surrounding area and the proposed plot would not be out of context with this general character. The indicated footprint of the building occupies approximately 34% of the proposed site area. For context, Glenpark Court built form occupies 27% of its site; 50 Ardgowan Street 36%. Whilst it is acknowledged that the unbuilt portion of the site will be predominately occupied by a parking court, it is considered that generally the building to plot ratio is compatible with the surrounding urban form. The existing boundaries of the site will be retained to sympathetically integrate into the existing urban form and ensure traditional villas retain their large plots to maintain the character of the area.

This development enables a practical adaption of this vacant site, which conforms to the historical pattern of development and the variety of property types/tenure whereby small tenement flats with rear parking courts are not uncommon within the immediate locality. In accordance with Policy 9 and

16 of NPF4, the development would provide smaller scale homes, improve choice, which would address gaps in provision and the need for accommodation for changing and diverse needs. In this respect, the development is considered to add variety in terms of the type/scale of home on offer.

Overall, the proposal does not present overdevelopment of the site, and it is considered there is a sufficient building to plot ratio and amenity ground to reflect that of the immediate locality and to conform to the surrounding and traditional built form.

Design and scale

In terms of overall position, scale, design and use of materials and colours it is more appropriate to assess these matters in any subsequent approval of matters/detailed application. The variety of designs in the surrounding locality is however acknowledged, yet it is prudent to ensure new development preserves and enhances the historic integrity, character and amenity of the site and wider conservation area.

Whilst indicative, the position of the building is considered acceptable and consistent with the position of surrounding built form and positions. Surrounding properties also vary considerably in scale. The proposed three-storey building would strike a balance in this location, between the two storey properties on Ardgowan Street and four storeys within Glenpark Court and would not consider be visually dominating or out of context in the surrounding streetscape.

Whilst details of materials and colours have not been provided within the application, I note pitched roofs and a muted/neutral colour palette to generally conform to the surrounding architecture. Vast fenestration and balconies to the front elevation is undoubtedly present in more modern design aspects, however not considered to be unacceptable. this will be subject to full and detailed assessment which will be considered within any further application. Detailed design will be addressed fully by condition of any grant of planning permission in principle.

Residential amenity

In considering residential amenity with regards to potential loss light, the orientation, scale and separation distance of the site from neighbouring properties is considered to avoid any adverse implications. Nonetheless it would be for a full application to evidence that the properties position, scale and design is satisfactory in ensuring no adverse implications in respect of overshadowing.

With regards to overlooking and privacy implications, in assessing the indicative floor plan layouts, windows are presented on side elevations, which have potential to overlook neighbouring properties and rear gardens. Except for the proposed lounge windows, within the eastern side elevations (facing Ardgowan Street), side windows are mostly bathroom/WCs, which would feature obscured glazing, with this requirement being addressed by condition. With regards to the lounge windows, these present a departure from the guidance within PAAN3 as there is not a separation distance of 9 metres to the nearest boundary and there is potential for direct view and intensification of overlooking of the rear gardens of the Ardgowan Street properties. This concern was also raised by representation. As design is indicative only at this stage, it is for a full application to address this matter, and options should be considered to omit this window or fit with obscured glazing. For this reason, side screening should also be considered on balcony edges. The separation distances between proposed balconies across the street to rear gardens on Union Street is some 25 metres distant and therefore not considered to present any adverse intensification of overlooking or unacceptable loss of privacy beyond the existing arrangement. The balconies/terraces are considered appropriate in size to avoid any adverse disturbance of neighbouring properties. The noise and activity generated by new homes would be typical of that emanating from a domestic setting.

Traffic, parking and access

PAAN 3 additionally states that the level of on-site car parking should accord with the National Roads Development Guide, should be comparable with the established pattern in the street and capable of

being implemented without detriment to road safety. This matter also requires to be considered against Policy 11 of the adopted LDP, Policy 12 of the proposed LDP and the quality of being 'Safe and Pleasant' in Policy 1 of both LDPs. Following consultation, the Head of Roads and Transportation advises that the development based on the number of properties and bedroom numbers requires a total parking requirement of 8 off-street parking spaces and 2 visitor parking spaces. The current layout provides 8 off-street parking spaces which meets the requirements for the indicative number of units and bedrooms. However, the visitor parking requirements of 2 spaces has not been met. As the layout/units/bedrooms numbers are indicative only, this will be assessed fully/required within any subsequent approval of matters/detailed application and can be addressed by condition to accord with the terms of Policy 11 of the adopted LDP and Policy 12 of the proposed LDP.

Other requirements regarding minimum dimensions of spaces, aisle spacing for accessibility, gradient and visibility splay from the access can also be addressed by a planning condition if planning permission in principle is granted.

Flooding, drainage and infrastructure

The flooding and drainage information submitted was accepted with further requirements for any detailed application specified to be addressed by condition of any grant of planning permission in principle. There are no significant implications identified in fulfilling the requirements of Policies 8 and 9 of the adopted LDP and Policies 9 and 10 of the proposed LDP in relation to managing flood risk and drainage.

The site is located within the settlement boundary where local services/facilities can be accessed. Connection to services/utilities is a matter to be addressed between relevant parties i.e. the applicant and utility providers.

The site is sustainably located within the settlement boundary, close to a range of local services and close to public transport links. The proposed site should accommodate sufficient in-curtilage parking and achieve bicycle parking requirements to not require complete reliance on private transport. The location also encourages walking and cycling. The provision of electric vehicle charging facilities, can also be addressed by a planning condition to comply with the terms of Policy 10 of the adopted Local Development Plan and Policy 11 of the proposed Local Development Plan. This proposal can be seen to generally comply with Policies 11 and 12 of the proposed LDP related to sustainable transport and impact on the transport network.

Landscaping and Ecology

The site's natural characteristics and dense vegetation cover would be altered significantly by development. Trees are an important feature of the Conservation Area, and it is noted that the existing trees within the application site would be felled as part of the proposal. These are however relatively immature. The loss of trees within the Conservation Area must consider the impact on amenity and setting. In this regard, the trees/vegetation is predominately concealed from view by the brick boundary wall, which surrounds the site and therefore the loss of trees will have a limited and localised effect and acceptable impact on the amenity and character of the Conservation Area, presenting no conflict with Policy 34 of the Local Development Plan.

The landscaping proposals for the development are indicative only for this planning permission in principle application and a landscaping plan shall be requested by condition of any grant of planning permission in principle to detail a scheme of any tree felling and planting schedule including timescales.

Ecological issues are further raised by representation with concern of impact on protected species. There is nothing to suggest that the site provides any habitat for protected species, although the vegetation may provide a habitat for nesting birds. The requirement to avoid site clearance during nesting season or check for nesting birds carried out should site clearance be undertaken during the bird nesting season can be addressed by condition. A preventative condition will also be placed on

any grant consent to stop works, inform the Planning Authority and consult a suitably experienced ecologist should any protective species or active habits be discovered within the site and vicinity. The proposal therefore raises no issues with reference to Policy 33 of the Local Development Plan. Overall, there are no ecology issues which would provide a basis for refusal of planning permission in principle and the proposal is considered to comply with Policies 33 and 34 of both plans. The detailed landscaping proposal will be assessed fully within any further detailed application.

Other consultation responses

Turning to other policies that are relevant to the consideration of this application, Policy 6 of both the adopted and proposed Local Development Plans seeks to ensure that all new buildings are energy efficient and that at least 25% respectively of the carbon dioxide emissions standard reduction set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. If planning permission in principle is granted the requirement for low and zero carbon generating technologies can be addressed by a planning condition with the details submitted for further approval.

In terms of the advice from the Health of Public Protection, a planning condition can be used in relation to Japanese Knotweed and contamination if they are encountered during site works. The details of any bin stores can also be addressed by a planning condition for the details of which to be submitted for approval before development commences. This addresses Policy 16 of both LDPs.

Representations

In responding to the representations received, not yet addressed within the assessment above. The on-site parking requirements require to be achieved to ensure no on-street parking is a consequent of the development. Erection of scaffolding and access to land for construction are not material planning considerations. These are civil matters, to be addressed by relevant parties/owners. Construction noise is not a relevant material consideration and does not justify the refusal of any granting of planning permission. The parking area and bin storage is typical of a residential development and presents no adverse implications to amenity to justify refusal of planning permission. The Head of Public Protection had recommended conditions and advisory notes to avoid any such adverse implications. Light pollution is not a matter considered to impede development within an existing settlement within an urban residential area. Details of landscaping and maintenance will be addressed by condition of any grant of planning permission in principle in the interest of safeguarding amenity. Neighbour notification was carried out in line with the legislation requirements, with the specific distance for notification of 20 meters from the application site.

Conclusion

In conclusion, the principle of the proposal at this location is considered to be acceptable and capable of achieving a build to plot ratio, which reflects the immediate locality to protect and enhance the historic character and amenity of the area and to safeguard and enhance residential amenity. The proposal therefore complies with the relevant policies and guidance. PAAN 3, the Council's Planning Policy Statement, the Greenock West End Conservation Appraisal and Historic Scotland's policy and guidance which seek to preserve the historic environment. Whilst mindful of the objections received, there are no material planning considerations which I consider would justify the refusal of planning permission. Planning permission should therefore be granted subject to the conditions below.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. The development to which this planning permission in principle relates must be begun within 5 years from the date of this permission.

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

2. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed site layout. The proposed layout shall be shown on a plan at a scale of 1:500 showing the position of the proposed residential building, any ancillary building, means of access, parking areas and provision and any vehicular turning areas.

Reason: To ensure that the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

3. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed floor plans and elevations of the proposed dwellinghouse and shall show dimensions as well as the type and colour of all external materials.

Reason: To ensure that the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

4. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the type and colour of all hard surfacing materials to be used on both parking areas and hardstanding areas.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

5. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed ground levels throughout the site and proposed finished floor levels of the proposed dwellinghouse and garage in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

6. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to all boundary treatments including walls (including any retaining walls) and fences to be erected on site.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

7. Development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the details of Surface Water Management and Sustainable Urban Drainage Systems proposals. For the avoidance of doubt the surface water for the proposed development shall be contained/attenuated within the site before discharging to the public system and shall be restricted to greenfield runoff rates. The following advice should be followed:

- i) A fully developed Surface Water Management Plan(s) shall be submitted in accordance with Flood Risk Assessment and Surface Water Management Assessment: Planning Guidance for Developers (March 2024). The applicant shall also complete and submit the checklist within Annex B of said guidance document which will assist the application.

- ii) Discharge locations must be identified, and the applicant must confirm approval in principle from the owner. If proposing to discharge into the public sewer network, confirmation that Scottish Water will accept the flows must be included with the application.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

8. The following provisions shall be achieved at the site, unless a Transport Statement is approved in writing by the Planning Authority detailing alternative arrangements:

- a) Parking should be provided in accordance with the National Guidelines:

- 1 parking space for a 1 bedroom house;
- 2 parking spaces for a 2 or 3 bedroom house;
- 3 parking spaces for a 4 bedroom house.

- b) Visitor parking should be 0.25 spaces per dwelling and bicycle spaces 1 per dwelling.

- c) The parking spaces shall be a minimum of 2.5m by 5.0m with a minimum aisle spacing of 6.0m.

- d) The access should be a minimum of 4.8m wide for at least 10.0m and the gradient should not exceed 10%.and be formed via a footway crossover

- e) The access footpath to the building shall be a minimum of 2.0m wide.

- f) The applicant shall demonstrate a visibility splay of 2.4m x 20.0m x 2.0m can be achieved from the site access on to Fox Street. It shall be conditioned that this is retained in perpetuity.

- g) All surface water should be managed within the site to prevent flooding to surrounding properties and the public road network.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

9. Development shall not commence until an application for approval of matters has been submitted to and approved in writing by the Planning Authority relating to the proposed landscaping/planting at the site. Details of the scheme shall include (as appropriate):

- i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
- ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;
- iii) The phasing/timescale for carrying out these works.
- iv) Details of maintenance and management for the landscaping. For the avoidance of doubt management and maintenance shall commence upon completion of the landscaping.

Thereafter the matters that are approved shall be implemented in their approved form in the first planting season following completion of the flatted building.

Reason: To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

10. Prior to the commencement of development, confirmation of connection to Scottish Water's Network shall be submitted to and approved in writing by the Planning Authority.

Reason: To ensure Scottish Water's acceptance of the drainage regime for the application site and in the interests of the provision of a satisfactory drainage regime.

11. For the avoidance of doubt the dwellinghouse shall be designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 25% by the end of 2025). Development shall not commence until details have been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in the dwellinghouse. Thereafter, the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of the dwellinghouse.

Reason: To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.

12. The properties shall have an Electric Vehicle Charging Points in accordance with the requirements set out by the National Roads Development Guide. Development shall not commence until the details have been submitted to and approved in writing by the Planning Authority relating to the proposed Electric Vehicle Charging Points. Thereafter the approved details shall be implemented on site in their approved form before the first occupation of the properties.

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

13. Development shall not commence until details of a survey for the presence of Japanese Knotweed has been submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.

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

14. Development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with a timetable for implementation, of all pollutant linkages, has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.

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

15. Before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (however not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.

Reason: To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.

16. The presence of any previously unrecorded contamination or variation of anticipated ground conditions that become evident during site works shall be brought to the attention of the Planning Authority and a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.

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

17. All vegetation clearing, including tree felling and all ground clearance, shall take place outside the bird nesting season, March to August inclusive. If undertaken within bird nesting season, a check for nesting birds shall be carried out with a methodology and recommendations submitted by a suitably qualified professional for practice which safeguards nesting birds.

Reason: To ensure the protection of breeding birds within the application site.

18. Notwithstanding condition 17 above, should any protected species be found within the application site at any time during the construction stage, then all work shall cease immediately, and written notification shall be sent by the developer to both the Planning Authority and Scottish Natural Heritage (SNH). Development shall only re-commence once written approval for re-commencement has been issued in writing by the Planning Authority and any mitigation measures required as conditions of such approval shall be implemented in full and in accordance with the approved timescales.

Reason: To ensure that the site and its environs are surveyed and the development does not have an adverse impact on protected species or habitat.

Neale McIlvanney
Interim Director - Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Carrie Main on 01475 712413.

**Agenda Item
No.** 2b

Report To: The Planning Board

Date: 6th August 2025

Report By: Interim Director - Regeneration

Report No: 25/0081/IC

**Local Application
Development**

**Contact
Officer:** Carrie Main

Contact No: 01475 712413

Proposal: Change of use of flat to short term let at
Flat Ground 1, 2 Mount Zion, Church Road,
Quarriers Village



SUMMARY

- The proposal is acceptable when assessed against National Planning Framework 4 (NPF4).
- The proposal accords with the adopted and proposed Inverclyde Local Development Plans.
- There have been 13 representations objecting to the application.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at: [25/0081/IC | Change of use of flat to short term let | GROUND 1 2 MOUNT ZION Church Road Quarriers Village PA11 3TD](#)

SITE DESCRIPTION

The site relates to a flatted property within the Category B Listed Former Mount Zion Church, located within the Quarriers Homes Conservation Area. The building is of traditional sandstone construction, built in 1888, with a pitched roof and clock tower. The flat is accessed via the eastern side of the building, is over three storeys and contains two bedrooms. The building contains a tarmacked driveway with shared parking. The surrounding area is mainly residential in character.

PROPOSAL

Planning permission is sought for the use of the property for short term let. The applicant has advised that the property will be available to rent all year round with a 2-night minimum duration with the preference being 7 nights plus. It will be available for a maximum of 4 guests within its 2 bedrooms. No physical internal or external alterations are proposed within the application. The occupancy will be managed by the owner or through an agency.

NATIONAL PLANNING FRAMEWORK 4

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

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

Policy 1 - Tackling the climate and nature crisis

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

Policy 2 - Climate mitigation and adaptation

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

Policy 7- Historic assets and places

- a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

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

Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:

- i. architectural and historic character of the area;
- ii. existing density, built form and layout; and
- iii. context and siting, quality of design and suitable materials.

e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.

Policy 14 - Design, quality and place

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 - Tourism

b) Proposals for tourism related development will take into account:

- i. The contribution made to the local economy;
- ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;
- iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
- iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
- v. Accessibility for disabled people;
- vi. Measures taken to minimise carbon emissions;
- vii. Opportunities to provide access to the natural environment.

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 10 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- a provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- b include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; the green network; and historic buildings and places.

Policy 11 - Managing Impact of Development on the Transport Network

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

Policy 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 green network and historic buildings and places.

Policy 28 – Conservation Areas

Proposals for development, within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had

to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Policy 29 – Listed Buildings

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

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

Inverclyde Council Planning Policy Supplementary Guidance – ‘Short Term Lets’

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 11 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, including links to the wider walking, cycling network and public transport network; and
- include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in national, regional and Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; and the resources protected by the Plan's historic buildings and places and natural and open spaces chapters

Policy 12 - Managing Impact of Development on the Transport Network

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network.

Development should comply with the Council's roads development guidelines and parking standards, including cycle parking standards.

Developers are required to provide or financially contribute to improvements to the transport network that are necessary as a result of the proposed development.

Policy 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.

Policy 28 – Conservation Areas

Proposals for development, within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area.

Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Applicants should demonstrate that every reasonable effort has been made to secure the future of the building. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Policy 29 – Listed Buildings

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

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

Inverclyde Council Planning Policy Supplementary Guidance – ‘Short Term Lets’

CONSULTATIONS

Head of Service - Roads and Transportation –

If the number of bedrooms in the final proposed property is the same or less than currently, then no additional parking is required.

PUBLICITY

An advertisement was placed in the Greenock Telegraph on 23rd May 2025 due to development affecting a conservation area and a listed building.

SITE NOTICES

A site notice was posted on 23rd May 2025 due to the development affecting a conservation area and a listed building.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification, and 13 representations have been received objecting to the proposal including from individuals and two community groups, Kilmacolm and Quarriers Village Community Council and Kilmacolm Civic Trust.

The comments received are summarised below:

Residential amenity and impact on the conservation area and listed building

- A money-making investment at the detriment of the peace and quiet currently experienced by residents.
- Increased noise and disturbance from transient and high turnover residents.
- Soundproofing between flats is not great so disturbance potential.
- Wear and tear of shared communal spaces.
- Potential for disrespect of the building and anti-social behaviour.
- This would set a precedent for short term lets in the building/area.
- Other local authorities' guidance is appropriate i.e. only houses or main door flats can be considered for short term let to minimise disturbance of neighbouring properties.
- A key safe being fitted would not be appropriate and damage the character of the building.
- Unsuitable for a converted listed building within a conservation village.

Social and Safety concerns

- There is a common entrance and hallway. There are women living alone within other flats. There is a safety/security concern regarding strangers being in the building.
- The intercom does not work so keys would need to be given out. Security concern.
- Codes/keys being passed out would invalidate insurance claims.
- Residents would be unvetted on arrival and the owner/applicant does not live nearby.

Traffic, parking and accessibility

- Increased parking demand around the building.
- Non-residents will not be aware of the need to drive slowly and carefully given surrounding care residents.
- Lack of infrastructure, amenities and vulnerable adults and children.

Other matters

- No evidence of short term let within other properties in Quarriers.
- Title deeds prohibit any house to be used for any trade, business or profession.
- Flats at 1 Mount Zion should also be given the opportunity to make comments however they do not appear to have not been included within the neighbour notification.

These comments will be addressed in the assessment below.

ASSESSMENT

The material considerations in the assessment of this application are: National Planning Framework 4 (NPF4); the 2019 adopted Inverclyde Local Development Plan (LDP); the 2021 proposed Inverclyde Local Development Plan (LDP); Inverclyde Planning Policy Supplementary Guidance – 'Short Term Lets'; the impact on the character, amenity and functionality of the property and surrounding conservation and residential area, listed designation of the building, the consultation response and representations received.

Policy Context

Both LDPs locate the application site within the Quarrier's Homes Conservation Area, the property is Category B listed and within an established residential area and therefore requires consideration under Policies 1, 7 and 14 of NPF4; Policies 1, 28 and 29 of the adopted LDP and Policies 1, 20, 28 and 29 of the proposed LDP.

The proposal involves a change of use to short term lets, which is considered an unclassified or 'sui generis' use. It is a use which is associated with tourism, therefore Policy 30 of NPF4 and Policies 27 of both adopted and proposed Plans are of relevance.

Policy 11 of the adopted LDP and Policy 12 of the proposed LDP are also applicable as the proposed change of use has the potential to impact on traffic and parking on the surrounding network.

The Inverclyde Council Short Term Lets Supplementary Guidance provides specific advice in relation to the proposed use.

Using the flat for short term lets is considered, in general terms, to accord with the quality of being "Adaptable" under Policy 14 of NPF4 and the quality of being "Resource Efficient" under Policy 1 of both the adopted and proposed LDPs. As the proposal is within the existing urban residential area, it is in a sustainable location and generally accords with the terms of Policy 1 and 2 of NPF4.



View of the property from southerly aspect, on Church Road

Impact on the character of the area

It is important to fully consider how this use will impact on the amenity of the surrounding area, considering immediate residential neighbours and the impact of transient visitors and the associated servicing/maintenance/cleaning of the property between stays as a potential to cause disturbance.

The short-term let use whilst an alternative and uncommon form of residential accommodation within the village is not considered to be out of character within this predominantly residential area. It is noted that the wider area is not exclusively residential, as businesses and residential institutions also exist with associated traffic/activity. This proposed use will be similar to the residential activity and noise typically associated with a residential property, not normally exceeding any disturbance typically associated with long-term residents.

It should be noted that subsequent consents of a similar nature within the same building (or neighbouring buildings and properties) could result in an emerging cumulative residential amenity impact, changing the nature of the locality from one of conventional owner occupation and long-term tenancy arrangements to one associated with a short-term transient use. This area is not currently experiencing a cumulative impact from short term lets and no other properties within the building are short-term let. This will be monitored given the requirement for planning permission and to ensure no over-provision which could comprise the amenity and character of the area and to ensure compliance with the Short Term Lets Supplementary Guidance.

Overall, the area will broadly remain characterised by long term tenancy or owner occupation of property, and this proposed change of use to short-term letting is not considered a significant alteration to the use and profile of the local area or to adversely impact its character, functionality or amenity, in accordance with the Inverclyde Short Term Let Supplementary Guidance. As no internal or external alterations are proposed the historic assets i.e. the character and amenity of the conservation area and listing designation of the building are not impacted.

Should any excessive noise result from the use of the property, this should be reported to the Council's Public Protection Service to investigate under their remit and any anti-social behaviour reported to Police Scotland. Matters of any anti-social behaviour, maintenance of shared communal areas within the building and entrance and checking in/out arrangements for tenants should also be reported directly to the owner.



View of the properties communal entrance

Tourism and housing variety

In relation to the tourism aspect, there is potential for direct economic benefits from the proposal. Occupants could include tourists, people visiting family and other short-term leisure uses although other users could be tradespeople and workers. Use of the property for lets opens the possibility of further spending on goods and services. This would be a factor if the occupants are tradespeople and professionals, staying for longer- or medium-term periods. Tourist visitors may also provide a similar net spend. However, this is difficult to quantify, and it is not possible to state unequivocally what proportion of occupant's net spend would be local in nature. It is likely, however, that the economic impact would be positive.

It is also recognised that short term lets can provide benefit to the choice and variety of housing options on the market by providing short term solutions, for emergency housing needs and those moving between properties as well as providing support for accommodation for workers, to reduce travel requirements, in accordance with the Inverclyde Planning Policy Supplementary Guidance - 'Short Term Lets'.

Traffic, parking and infrastructure

In considering the impacts of the development on traffic and parking on the street scene, the Head of Service - Roads and Transportation - advises that as the number of bedrooms remains as two, there is no requirement for additional parking as a result of the proposal. It is also acknowledged that the property is within a settlement and residential area where public transport connections exist. Taking this into consideration, it is considered unlikely that the development would have an adverse impact on the operation of the transport and active travel networks. The development therefore accords with Policy 11 of the adopted LDP and Policy 12 of the proposed LDP.

With regards to the lack of infrastructure and amenities within the village, this is not a valid reason to refuse the application. A diverse accommodation type would be achieved for prospective occupants wishing to utilise the let for a variety of reasons, including work and leisure.

Outstanding Representations

The concern raised by representation regarding wear and tear and disrespect of communal shared spaces by the prospective residents must be treated as speculative and is not a valid reason to refuse planning permission.

All such, matters regarding use and maintenance are matters for shared owners. The fitting of a key safe is not proposed as part of this application and therefore must also be treated as conjecture. Any physical external alterations require planning permission and listed building consent and should be applied and assessed under any subsequent, separate applications.

It is not considered that the proposal will compromise the safety of existing residents, and therefore this must again be treated as conjecture. Any concerns of safety and access arrangements should be directed to the owner and actual incidents reported to Police Scotland. This is not a material consideration which would justify the refusal of planning permission.

Conflicts with title deeds and insurance terms are a separate civil matter to be discussed and resolved between the parties involved.

The neighbour notification and overall publicity of the application was undertaken correctly in accordance with the requirements of planning legislation.

Conclusion

In conclusion, the use of the flat for short term lets is acceptable when assessed against the relevant policies of NPF4 and of the adopted and proposed Local Development Plans; and Inverclyde Planning Policy Supplementary Guidance – 'Short Term Lets'. There are no material considerations that outweigh these policies.

RECOMMENDATION

That the application be granted subject to the following condition:

1. The development to which this planning 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
Interim Director
Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Carrie Main on 01475 712413.

Report To: The Planning Board

Date: 6th August 2025

Report By: Interim Director - Regeneration

Report No: 25/0033/IC

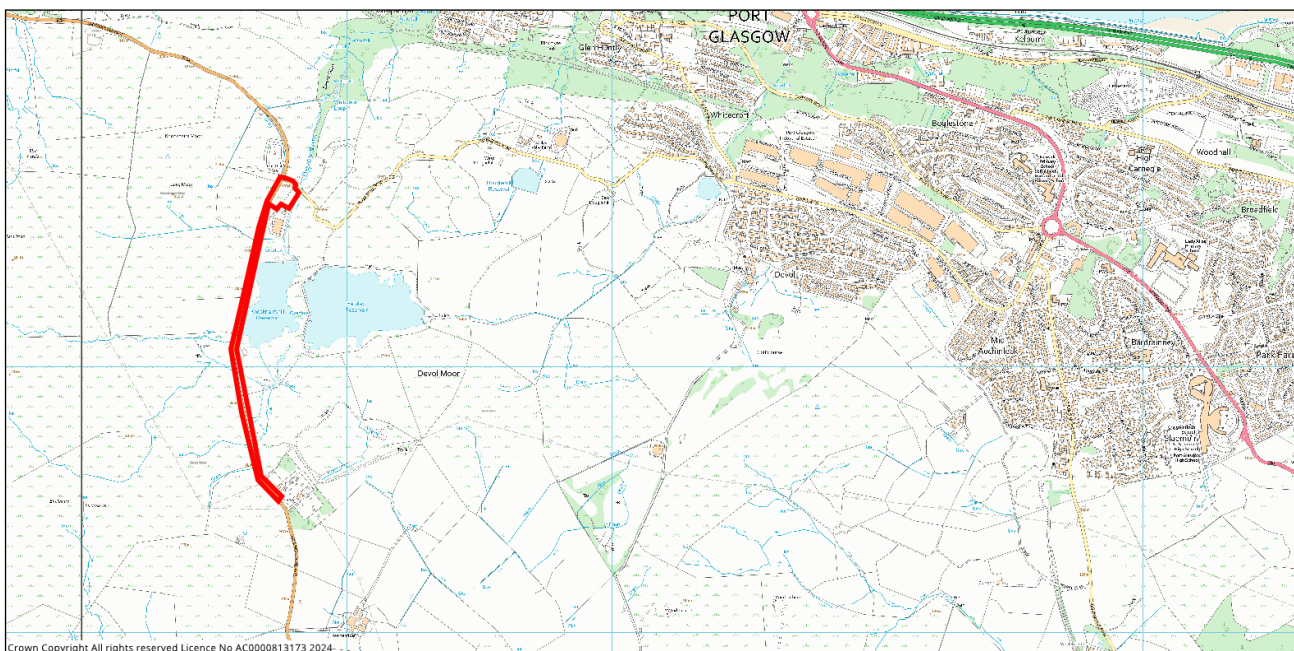
**Major Application
Development**

**Contact
Officer:** Colin Lamond

Contact No: 01475 712422

Subject: Construction and operation of Douglihill 49MW (AC) Battery Energy Storage System (BESS), associated infrastructure and miscellaneous works (Major) at

Land at Former Douglihill Water Treatment Works, Douglihill Road, Port Glasgow



SUMMARY

- The proposal complies with National Planning Framework 4 and the adopted 2019 and the proposed 2021 Inverclyde Local Development Plans.
- There have been no representations received in relation to this application.
- Consultation responses present no impediment to the 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=documents&keyVal=S0JZJIIMIC000>

SITE DESCRIPTION

The application site occupies part of the former Wastewater Treatment Works at Douglichill. The proposed development area (0.8ha) will reside within previous amenity, parking and storage areas associated with the former treatment works. Two now vacant buildings (south of the development area) will remain. The site is bordered by Douglichill Road (north), the B788 road (west) and Devol Burn (east). Access to the proposed site is via an existing internal access road from Douglichill Road which previously serviced the treatment works. The Harelaw and Knocknair's Hill Reservoirs are located further south. The proposed BESS development will connect to the Devol Moor electricity substation. The applicant has included the cable route along the B788 road (south) towards the substation as part of the site area (2.8ha in total inclusive of the cable route). The proposed site is 700m from the settlement boundary of Port Glasgow and is 'urban fringe' or semi-rural in nature. Nearby buildings include agricultural properties, boarding kennels and a gas distribution installation. Douglichill Road continues into Port Glasgow and is well used by through traffic, connecting the rural B788 to Port Glasgow.

PROPOSAL

The proposed development is a battery energy storage system (BESS). The development will provide grid stabilisation and battery energy storage. The development consists of a battery energy storage system which the applicant has advised will have a maximum generating capacity of 49.9MW. The applicant has indicated the intended lifetime of the proposal is 40 years, after which the facility will be decommissioned and the land restored to its former state.

The proposal comprises the following:

Containerised units

The site will contain 7 battery units (6 double and 1 single) with measurements of 7810mm x 1720mm x 2795mm, with 1 gable elevation housing a vent. Cabinet style doors and a control panel are located on a side elevation.

Distribution network operator (DNO) substation

A DNO brick-built substation (6191mm x 6705mm x 5069mm). The gable (side) elevations have single and twin personnel doors respectively. Front and rear elevations have a double vent and single personnel doors respectively. The housing has a pitched roof and will contain various panels, boards and charges in conjunction with a main switchboard and 33kv cable trench.

Operator control and switchroom

A 33kV control and switchroom (2216mm x 1803mm x 2167mm). The building is a combined control and switchgear room with a personnel door for access.

Other installations

Two auxiliary transformers (2216mm x 1803mm x 2167mm) are located within the operational area, a spare parts container, a welfare unit (6800mm x 4000mm x 3500mm), 2 fire hydrants and CCTV.

Drainage

An attenuation pond is proposed at the eastern boundary of the site. Details of site drainage/Sustainable Urban Drainage System (SUDS) have been provided. This includes an outline SUDS design drawing supported by a Flood Risk Assessment and Drainage Strategy.

Landscaping

The applicant proposes planting to the north, south, east and west within the site. The submission includes an outline Landscape and Ecological Mitigation and Enhancement Plan. The plan includes retention of existing trees, planting new native trees, shrub and hedgerow, native wildflower seeding, existing shrub improvements and a conservation appropriate colour finish for the boundary fence.

Access

Access to the site will be from Douglichill Road, via an existing internal access track running through the site. A short additional access track will be required to maintain the SUDS ponds and between battery packs 1 - 4 and 5 - 6. The applicant is utilising the existing access point previously used for the wastewater treatment facility.

Security and fencing

The 3m high palisade fence will encircle the western and eastern portions of the site (the access road intersects).

Connection to Devol Moor sub-station

The development is approximately 800m from the Devol Moor Sub-Station. Connection to the substation is included within the proposed site boundary.

Construction compound

A construction compound will be located to the west of the site. This area of land is also identified as the location of the SUDS pond. The construction compound will accommodate a temporary swale, a turning point for heavy vehicles and a general storage area.

Indicated construction period

The construction period is indicated as being approximately 6 months in duration.

Submitted reports

The planning application has been accompanied by a Landscape and Ecological Mitigation Plan (January 2025); Transport Statement (January 2025); Flood Risk Assessment (January 2025); Surface Water Management Assessment (January 2025); Battery Safety Management Plan (January 2025); Air Quality Assessment (January 2025); Design and Access Statement (January 2025); Landscape and Visual Appraisal (February 2025); Planning Statement (February 2025); Preliminary Ecological Appraisal (January 2025); Noise Impact Assessment (February 2025).

DEVELOPMENT PLAN POLICIES

National Planning Framework 4

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

The development draws support from NPF4 in principle. NPF4 states that - "As technologies continue to develop, storage and other forms of generation will grow" and also outlines general support for

storage technology and capacity. The document also details that the planning system should 'provide support' for energy storage.

There are six overarching spatial principles contained within NPF4. The most pertinent to renewable energy is 'just transition'. This principle is designed to ensure that the move to net zero is fair and inclusive.

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

Policy 1 Tackling the climate and nature crisis

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

Policy 2 Climate mitigation and adaptation

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

Policy 3 Biodiversity

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
 - i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
 - ii. wherever feasible, nature-based solutions have been integrated and made best use of;
 - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
 - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long term retention and monitoring should be included, wherever appropriate; and
 - v. local community benefits of the biodiversity and/or nature networks have been considered
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy 4 Natural Places

f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

Policy 8 Green Belt

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

they are for:

- minerals operations and renewable energy developments and;

ii) the following requirements are met:

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

Policy 11 Energy

a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. Relevant policy strands to this proposal include;

- ii. enabling works, such as grid transmission and distribution infrastructure;
- iii. energy storage, such as battery storage and pumped storage hydro;

c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:

- i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;
- ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;
- iii. public access, including impact on long distance walking and cycling routes and scenic routes;
- iv. impacts on aviation and defence interests including seismological recording;
- v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;

- vi. impacts on road traffic and on adjacent trunk roads, including during construction;
- vii. impacts on historic environment;
- viii. effects on hydrology, the water environment and flood risk;
- ix. biodiversity including impacts on birds;
- x. impacts on trees, woods and forests;
- xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;
- xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and
- xiii. cumulative impacts.
 - In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
 - Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

Policy 14 Design, quality and place

- 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.

Policy 22 Flood risk and water management

- c) Development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue and green infrastructure. All proposals should presume no surface water connection to the combined sewer;
- iii. seek to minimise the area of impermeable surface.

Policy 23 Health and Safety

d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.

e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

Policy 29 Rural Development

a) Development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:

- i. farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;
- ii. diversification of existing businesses;
- iii. production and processing facilities for local produce and materials, for example sawmills, or local food production;
- iv. essential community services;
- v. essential infrastructure;
- vi. reuse of a redundant or unused building;
- vii. appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- viii. reuse of brownfield land where a return to a natural state has not or will not happen without intervention;
- ix. small scale developments that support new ways of working such as remote working, homeworking and community hubs; or
- x. improvement or restoration of the natural environment.

b) Development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

Adopted 2019 Local Development Plan Policies

Policy 1 - Creating Successful Places

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

Policy 4 - Supplying Energy

Proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impact, including cumulative impact on:

- a) the resources protected by the Plan's historic buildings and places and natural and open spaces chapters;
- b) the amenity and operations of existing and adjacent uses;
- c) tourism and recreational resources;
- d) air quality;
- e) aviation and defence interests;
- f) telecommunication and broadcasting interests; and
- g) traffic and pedestrian safety

Where relevant, proposals are to be accompanied with restoration plans acceptable to the Council. Relevant proposals are required to accord with the Council's Supplementary Guidance on Energy.

Policy 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a) be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- b) increase the level of flood risk elsewhere; and
- c) reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 10 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

a) provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and

b) include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; the green network; and historic buildings and places.

Policy 11 - Managing Impact of Development on the Transport Network

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

Policy 12 - Air Quality

Development that could have a detrimental impact on air quality or would introduce a sensitive receptor to an area with poor air quality will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

Policy 14 - Green Belt and Countryside

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

Policy 33 - Biodiversity and Geodiversity Natura 2000 sites

Development proposals that are likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment of the implications of the proposal on conservation objectives.

Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site or if:

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

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

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

Local Nature Conservation Sites

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

Local Landscape Area

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

Non-designated sites

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

Policy 37 - Clyde Muirshiel Regional Park

Proposals for development within Clyde Muirshiel Regional Park will be considered with regard to the Park Objectives and Strategy.

Policy 39 - Water Environment

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

- a) supporting the strategies and actions of the national and regional marine plans, and supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;
- b) minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;
- c) the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;
- d) avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements; maintaining or improving waterside and water-based habitats; and
- e) providing appropriately sized buffer strips between development and watercourses, in line with SEPA guidance, and providing access to the water and waterside, where appropriate.

Proposed 2021 Inverclyde Local Development Plan Policies

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing and assessing development proposals, consideration must be given to the factors set out in Figure 3 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 4 - Supplying Energy

Proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impact, including cumulative impact on:

- a) the resources protected by the Plan's historic buildings and places and natural and open spaces chapters;
- b) the amenity and operations of existing and adjacent uses;
- c) tourism and recreational resources;
- d) air quality;
- e) aviation and defence interests;
- f) telecommunication and broadcasting interests; and
- g) traffic and pedestrian safety

Where relevant, proposals are to be accompanied with restoration plans acceptable to the Council. Relevant proposals are required to accord with the Council's Supplementary Guidance on Energy.

Policy 9 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a) be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- b) increase the level of flood risk elsewhere; and
- c) reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood risk management schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

Policy 10 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 4th edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- a) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- b) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place, which identifies who will be responsible for maintenance and how this will be funded in the long term.

Policy 11 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- a) provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, including links to the wider walking, cycling network and public transport network; and
- b) include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

Proposals for development, which the Council considers will generate significant travel demand, are required to be accompanied by a travel plan demonstrating how travel to and from the site by means other than private car will be achieved and encouraged. Such development should also demonstrate that it can be accessed by public transport.

The Council will support the implementation of transport and active travel schemes as set out in national, regional and Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; and the resources protected by the Plan's historic buildings and places and natural and open spaces chapters.

Policy 12 - Managing Impact of Development on the Transport Network

Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network. Development should comply with the Council's roads development guidelines and parking standards, including cycle parking standards. Developers are required to

provide or financially contribute to improvements to the transport network that are necessary as a result of the proposed development.

Policy 13 - Air Quality

Development that could have a detrimental impact on air quality or would introduce a sensitive receptor to an area with poor air quality will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

Policy 15 - Green Belt and Countryside

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) within the curtilage of an existing use, which is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location. Proposals in the green belt must not undermine the objectives of the green belt as set out in Scottish Planning Policy and the Clydeplan Strategic Development Plan. Non-conforming uses will only be considered favourably in exceptional or mitigating circumstances.

Policy 33 - Biodiversity and Geodiversity European sites

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

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

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

When proposing any development which may affect a protected species, the applicant should fulfil the following requirements: to establish whether a protected species is present; to identify how the

protected species may be affected by the development; to ensure that the development is planned and designed so as to avoid or minimise any such impact, while having regard to the degree of protection which is afforded by legislation, including any separate licensing requirements; and to demonstrate that it is likely that any necessary licence would be granted.

Local Nature Conservation Sites

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

Non-designated sites

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

Policy 34 - Landscape

The siting and design of development should take account of local landscape character and setting in order to conserve, enhance and/or restore landscape character and distinctiveness. Development should aim to conserve those features that contribute to local distinctiveness including:

- a) the setting of buildings and settlements within the landscape
- b) the pattern of woodlands, fields, hedgerows and trees; especially where they define/ create a positive settlement/ urban edge
- c) the character and distinct qualities of river corridors
- d) historic landscapes
- e) topographic features, including important/prominent views, vistas and panoramas

When assessing development proposals likely to have a significant impact on the landscape, the guidance contained in the Glasgow and Clyde Valley Landscape Character Assessment will be taken into account.

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

Policy 36 - Safeguarding Green Infrastructure

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

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

Outdoor sports facilities will be safeguarded from development except where:

- a) the proposed development is ancillary to the principal use of the site as an outdoor sports facility, or involves only a minor part of the facility and would not affect its use for sport and training;
- b) the facility to be lost is to be replaced by a new or upgraded facility of comparable or better quality, which is convenient for the users of the original facility and maintains or improves overall playing capacity in the area; or

c) a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

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

Policy 38 - Clyde Muirshiel Regional Park

Proposals for development within Clyde Muirshiel Regional Park will be considered with regard to the Park Objectives and Strategy and to the Park's statutory purpose of providing recreational access to the countryside.

Policy 39 - Water Environment

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

a) supporting the strategies and actions of the national and regional marine plans, and supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;

b) minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;

c) the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;

d) avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements; maintaining or improving waterside and water-based habitats; and

e) providing appropriately sized buffer strips between development and watercourses, in line with SEPA guidance, and providing access to the water and waterside, where appropriate.

CONSULTATIONS

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

- The use class (BESS) is sui generis, and the applicant should demonstrate that the provision of three parking spaces for maintenance vehicles is sufficient for the expected numbers of staff.
- Parking bays are to be 2.5m x 5.0m with a 6.0m aisle.
- An adequate visibility splay is annotated.
- Access width should be 4.8m for the first 20m to allow egress from the site.
- Access should be fully paved for 20m and the gradient a maximum of 10%.
- HGV movements should be restricted around school times for public safety. Hours and bridge height restrictions should be included in a Traffic Management Plan.
- Section 56 required for works affecting the public road network.

- FRA/SWMA are acceptable and independently verified.
- A lighting drawing should be provided to determine if there is any dazzle effect.

Scottish Environmental Protection Agency - states no objection however has highlighted the presence of the Devol Burn, and the risk of flooding resultant from the burn. SEPA have confirmed that the general approach in compiling the FRA is acceptable. The applicant has also identified a blocked culvert and has correctly included a worst-case scenario (full capacity) for both nearby reservoirs. SEPA mapping does not normally include information on smaller watercourses such as the Devol Burn.

SEPA have confirmed that BESS can be categorised as essential infrastructure and merits an exemption under Policy 22 (Flood Risk) of NPF4. BESS may be located in an area of flood risk providing that no land raising or loss of floodplain is proposed. An application under the Water Environment (CARS) regulations may be required for surface water run-off that may occur during construction and operation of the BESS. Fire prevention guidance is detailed within the Fire Chief's Planning Practice Guidance. Water pollution incidents will require SEPA investigation.

Public Protection Manager - advises that should the application receive consent, a private water supply management plan should be provided via condition to safeguard and maintain satisfactory private water supplies. In the event of an impact on air quality, a Monitoring Protocol should be established and a Pollution Mitigation Plan provided for the approval of the Public Protection Manager.

There is a possibility of unrecorded contamination being present within the site and if encountered further assessment and remedial action may be required. This advice also applies to Japanese Knotweed.

The operational noise rating level should not exceed 5dB(A) above background noise levels as calculated at residential noise sensitive receptors. The site should only operate with an acoustic fence/barrier in place.

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

Transport Scotland - do not object to the proposal.

Archaeology Advisor - advises that there is some likelihood of buried archaeological remains, particularly to the eastern periphery of the site. A degree of soil stripping in other areas may have removed or compromised other archaeological assets. Given the potential for some deposits to remain, a Method Statement and an Archaeological Watching Brief should be provided via a condition on any subsequent consent.

Historic Environment Scotland (HES) - advise that the development has some potential to affect Lurg Moor Roman Fortlet, Roman Road and hut circle (SM1653 and SM12800). HES have stated a position of no comment on the proposal. The application should be determined in accordance with national and local policy.

Scottish Water - do not object to the proposal however cannot guarantee that the site can be serviced. Water capacity is available at the Greenock Water Treatment Works. No waste water capacity is available. Connection to the water supply will require a formal application. Should any conflicts with Scottish Water live infrastructure be identified, this must be communicated at the earliest opportunity. Surface water connections to the combined sewer will not normally be accepted. Specific advice is offered by industry sectors such as food or other users that may produce trade discharges.

NatureScot - do not intend to offer any formal comment as the proposal does not meet their criteria for consultation.

Port Glasgow West Community Council - object to the proposal based on fire risk from lithium batteries, including the release of toxic chemicals after combustion. The community council are also concerned that prevailing winds may extend the areas affected by fire to a wide range of localities. The community council is also concerned about the long-term health impacts from a fire and the likely response of the fire service (to allow burn out).

PUBLICITY

The application was advertised in the Greenock Telegraph on 5th of April 2024 as there are no premises on neighbouring land.

SITE NOTICES

This type of application does not require a site notice.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. One representation was received (neutral). The representation queried the description in some parts of the submission of the B788 as "Auchmountain Road".

ASSESSMENT

This is a Major Development as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 as the proposal exceeds 20MW and does not exceed 50MW.

National Policy and Principle of the Development

National Planning Framework 4 (NPF4) sets out Scottish Ministers policies and proposals for the development and use of land. It plays a key role in supporting the delivery of Scotland's outcomes and the United Nations Sustainable Development Goals. Part 1 of NPF4 sets out a Spatial Strategy for Scotland until 2045 and identifies developments of national importance to help deliver that strategy. The need for Strategic Renewable Electricity Generation and Transmission Infrastructure is established therein. The generation of electricity from batteries is not in itself a renewable source of energy and the generation of electricity from the batteries will not contribute to national targets for production of electricity from renewable energy. However, the proposed development can be considered in general terms to be essential infrastructure through the provision of energy storage that adds flexibility and resilience to maintain and secure reliable supplies of energy.

Part 2 of NPF4 sets out National Planning Policy. NPF4 should be read as a whole, and the weight given to policies therein decided on a case-by-case basis. The greatest weight in consideration of the development in the context of NPF4 is Policy 11 on Energy. The Policy establishes an intent to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. The description in the Policy includes energy generation, storage, and new and replacement transmission and distribution infrastructure. Storage is part of the infrastructure necessary to support the continued expansion of renewable energy developments necessary for decarbonising electricity supply. Battery storage can capture excess electricity produced by renewables when supply outstrips demand and release stored energy as electricity when renewable output is slow, helping balance the system and avoid curtailing renewable generation. Battery storage can therefore be considered consistent with the policy principles of national policy for tackling the climate and nature crises.

The energy policy sets out the matters that are to be addressed in the design and mitigation of a development including: impacts on communities and individual dwellings; significant landscape and visual impacts; public access; impacts on aviation and defense interests including seismological recording; impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised; impacts on road traffic and on adjacent trunk roads, including during construction; impacts on historic environment; effects on hydrology, the water environment and flood risk; biodiversity including impacts on birds; impacts on trees, woods and forests; proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration; the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and cumulative impacts.

Policy 11 c) states that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. The direct economic impacts of the development are difficult to quantify, although these are likely to result from the construction of the development and supply chain opportunities involved. The main benefit of the proposal is that it is part of the infrastructure needed to support the continued expansion of renewable energy developments necessary for decarbonising electricity supply. No specific quantitative analysis is provided, though negative economic impacts are not anticipated. The proposal is therefore consistent with the terms of Policy 11 c) of NPF4.

The proposed development is designed to support the flexible operation of the National Grid and decarbonisation of electricity supply. It is considered in general terms to directly contribute to achieving CO₂ emissions reduction targets, whilst diversifying the energy mix. NPF4 supports renewable energy developments under Policy 11, which in turn supports the general terms of Policy 1 to address the global climate and nature crises. The proposal therefore accords with the general terms of Policies 1 and 11 of NPF4.

Location of the Development

The key policies of both the adopted and proposed Local Development Plans in relation to the proposed development are Policy 4, in respect of supplying energy, as well as Policy 14 of the adopted Local Development Plan and Policy 15 of the proposed Local Development Plan as the site is in the Green Belt.

It has been indicated that battery storage facilities require to be located within proximity of a viable grid connection that has sufficient capacity to import and export power that will be stored and released into the grid at times of peak demand. Suitable points of connection include a sub-station or an overhead power line. When a suitable connection can be found, other factors need to be taken into consideration that impact on the viability and feasibility of a battery storage facility, particularly the distance from a sub-station. A battery storage facility could potentially be developed up to 2km from the point of the connection. However, the level of efficiency reduces the further away from the connection the facility is located.

Policy 1 of the adopted and proposed LDPs require all development to have regard to the six qualities of successful places. The relevant factors in this instance are being “Resource Efficient”, by using previously developed land for the effective management of renewable energy and “Safe and Pleasant”, by avoiding conflict between adjacent uses and by having regard to adverse amenity impacts.

Policy 4 indicates that proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impacts on the green network (including landscape) and historic buildings and places; the amenity and operations of existing and adjacent uses; tourism and recreational resources; air quality; aviation and defense interests; telecommunication and broadcasting interests; and traffic and pedestrian safety.



View across to the site from close to the junction of the access point and Douglichill Road

The proposed development is designed to support the flexible operation of the National Grid and decarbonisation of electricity supply. It is considered in general terms to directly contribute to achieving CO₂ emissions reduction targets, whilst diversifying the energy mix. The assessment also concludes that adjacent uses are not adversely impacted by the development. Amenity impacts are proportionate to the development type and scale and are not considered unacceptable. The imposition of conditions would also mitigate against any effects considered unavoidable. No aviation, defence or telecommunication issues are considered likely as a result of the development. Matters related to traffic safety are discussed elsewhere within this assessment. There are no demonstrable impacts on historic or natural assets.

It is not considered that the proposed development would unacceptably impact tourism and recreation. The Right of Way 300m north of the site (Devon Glen, 12) may have a view of the proposed development however it would be terrain shielded to some degree, due to the woodland around Devon Glen.

No tourism assets are impacted to any notable degree due to both separation distance and the relatively modest scale of the development. Core paths are located 1.8km south of the site (29d), 1.5km southwest (32c) and 0.7km north (57b). It is broadly agreed with the applicant LVIA, that landform and terrain shields core paths from significant and persistent views. Informal recreational routes are also evident in the wider area, such as around the reservoir systems on the upland plateau and the operational Inverclyde Wind Farm.

Inverclyde Council Supplementary Guidance on Energy does not offer specific guidance on development of this type. The Guidance states that renewable energy developments should be removed at the end of their operational life. This advice is primarily directed towards turbine

development; however, some weight could be placed on installations such as this that provide supporting infrastructure and energy capacity management.

Therefore, the proposal complies in general terms with Policy 4 of both the adopted and proposed Local Development Plans.

In terms of the location, the site is within the Green Belt and needs to be considered under Policy 8 of NPF4 and Policy 14 of the adopted Local Development Plan as well as Policy 15 of the proposed Local Development Plan. In combination these policies support renewable energy developments in the Green Belt and support infrastructure with a specific locational need, where it is appropriately designed and located. The development has a specific locational need (proximity to a substation) and would therefore comply with Policy 8 of NPF4 (Green Belt) in respect of providing a justification for a development within the green belt. The purpose of the development is to provide supporting infrastructure for renewable development. It has been assessed that the proposal is largely compatible with the surrounding area and landscape character, minimises the visual impact and does not undermine the long-term quality of the green belt. It is considered that the development is moderate in scale and is not an imposing or overbearing feature in the context of the surrounding landscape. The proposal also lacks vertical scale and is commensurate with other elements of the built and natural environment. The proposed development is therefore compliant with Policy 8 of NPF4.

Landscape and Visual Impact

A Landscape and Visual Assessment (LVA) has been submitted with the application relating to the potential landscape and visual implications of the proposed development.

The LVA has allowed for a 2km study area to assess the impact of the development on both the landscape and visual amenity. The LVA appraisal includes the following viewpoints:

- Viewpoint 1: View from Kilmacolm Road (B788)
- Viewpoint 2: View from Harelaw Reservoir
- Viewpoint 3: Inverclyde Wind Farm car park

Regarding visual impacts on individual dwellings and communities, the applicant has provided an assessment of visual and landscape impacts, including viewpoints. Residential properties are considered sensitive to visual impacts, both from inside the property and areas of usable garden space and road approaches to dwellinghouses.



View from the site access along Douglichill Road

Viewpoint 1

This viewpoint is located at Kilmacolm Road (B788) as experienced when approaching from the north. The visual impact is short in duration for road users and only constitutes a minor proportion of the road, therefore minimising impacts for users. Furthermore, the existing hedgerow and planting proposed will provide relief from views of the development. This will be particularly effective in the medium to long term when the planting matures. The viewpoint is under 0.1km from the site.

Viewpoint 2

This viewpoint is located at Harelaw Reservoir (southeast) and is representative of casual recreational users. The viewpoint is 0.25km from the site.

Viewpoint 3

This viewpoint is the Inverclyde Wind Farm car park (1.1km from the site). Recreational walking and cycling are popular around the wind farm and Corlich.

In considering the visual impact, the site has some existing screening with varying depths of hedgerow and the presence of embankments. The existing wastewater facility buildings screen some southerly views. The maximum height of structures within the proposed development is 5.57m and this is not considered to be excessive. Mitigation suggested by the applicant includes retaining planting where achievable, and further planting to provide additional screening to ensure a continuation and enhancement of the existing screening.

Although the development would constitute a change in the landscape, the effects are localised. It is considered that the effect on the landscape as a result of the development is minor to moderate. The proposed development is not of significant scale to result in a wider change in the landscape that would be experienced across the whole Landscape Character Area. Landscaping and planting would provide a softening effect, reducing the impact on the immediate landscape. The landscaping/planting can be addressed by a planning condition.

The visual impact of the proposed development is also considered to be acceptable. Some longer distance views of the development are possible, however, the development would appear as a minor component of the wider landscape. Furthermore, the existing wastewater treatment buildings and structures would provide an adjacent industrial context to the proposed development. It should also be noted that the limited height of the development ensures that the structures and buildings would not be overbearing nor disproportionate at this location. Furthermore, visibility from Port Glasgow and Greenock, which is below the upland plateau site, is significantly restricted due to the topography and elevation.

NPF4 states that landscape and visual impacts are to be expected as a result of renewables development. Therefore, a degree of tolerance to such impacts should be applied to any proposals for renewable energy. Should planning permission be granted, the installation and maintenance of acoustic fencing will have a secondary purpose of providing further screening of the development.

Ecology

The applicant has provided a Preliminary Ecological Appraisal (PEA) dated March 2024. There are no natural heritage designations within the site itself. The site is 0.4km from the nearest national designation (Knocknairs Hill SSSI) with two further SAC/SSSI/SPA designations 2.4 - 4km distant. The conclusion of the ecological assessment is that the site contains common improved grassland and scrub providing limited capacity for habitats. The assessment states the immediate and wider area does not provide suitable areas for the foraging, roosting and commuting for bats.

Potential nesting sites for bird species are also evident, although no evidence of ground nesting has been found. Otter, water vole and badger species are scoped out of the assessment.

Policy 3(b) of NPF4 applies in this case as the application is for a major development. It is considered that the ecological value of the site is minor. The nature of the development is such that the provision of local community benefits would be difficult to achieve. The planting proposed can however provide some habitat/biodiversity improvements to comply with the requirements of Policy 3 of NPF4. Impacts on protected species are unlikely given the nature and condition of much of the site.

Should planning permission be granted a requirement for pre-construction species and bird breeding protection plans will be required. Vegetation removal is required, and ground nesting birds will require protection in the breeding season (which should be subject to a condition).

It is accepted that the site is characterised by low habitat potential, and the ecological amenity value of the site is low. Despite a lack of protected species, it should be noted that such species can be mobile and in the case of bird species, can travel more than 10km for foraging (from areas of special protection), although physical connectivity for ground species is limited. Areas of ancient woodland are sufficiently distant to be unaffected by construction and operation activities (0.3 - 3.5km distant).

The applicant has submitted a Landscape Plan and Ecological Mitigation Statement which proposes sections of native wildflower seeding, new tree, shrub and hedgerow planting around most of the site perimeter and a retained/improved scrub area to the north. Existing trees will be retained where possible. Proposed additional tree planting is suggested to improve habitat potential, and six bird nest boxes will also be installed for passerine species. These proposals could provide biodiversity improvement due to improved habitat features. A planning condition can be attached to secure the planting being carried out. Subject to the attachment of conditions, the proposal is considered to generally comply with Policy 4 of NPF4.

Policy 33 of the adopted and proposed LDPs relates to biodiversity. The site at present has very limited habitat potential and of limited ecological value. The planting proposed can provide some habitat/biodiversity improvements to also comply with the requirements of Policy 33 of the adopted and proposed LDPs.

Impact on the Roads Network

The applicant has provided a Transport Statement and has confirmed that the maximum vehicles at one time, either for routine operation of the facility or maintenance, would be two vehicles. The Head of Service - Roads and Transportation has agreed that three parking spaces for the normal operation and maintenance of the facility is satisfactory. The applicant has demonstrated that three parking spaces can be provided to national minimum standards. A planning condition can be attached to ensure the parking bay dimensions meet national minimum standards. The applicant has provided an indicative temporary construction compound layout with approximately 17 temporary parking bays. If consented, this aspect can be addressed by a planning condition requiring full details of the temporary construction compound prior to the commencement of development.

In terms of Policy 10 of the adopted LDP and Policy 11 of the proposed LDP, the development is not considered to encourage a significant degree of private vehicle travel out with the construction period. Maintenance and operation of the development will only require a maximum of two vehicles at any given time. Given the scale and type of development, it is not considered that opportunities for walking and cycling would be a primary requirement. The site location is an urban fringe with vehicle access via a rural B classified road. The location is not considered to be well served by public transport, nor easily accessible by foot. Primarily, single trips during the construction period will be by car or van, although there is some potential for cycling to the site. Physical access to the site will be restricted for safety and operational reasons. The Head of Service - Roads and Transportation and Transport Scotland do not object to the proposed development.

The advice from the Head of Service - Roads and Transportation regarding the width of the access, maintaining sightlines paving the first 20m of the proposed access can be addressed by planning conditions should planning permission be granted. Transport Scotland did not request specific conditions to be added.

There may be some traffic impacts on the local roads network during the construction period. However, the construction phase is limited in duration, and the construction is relatively limited, with much of the activity relating to the delivery of battery storage units. Subject to appropriate controls such as a Construction Traffic Management Plan, which can be addressed by a condition, the impacts are capable of being mitigated.

The proposal is therefore considered to be acceptable under Policy 11 e) vi) of National Planning Framework 4 and under Policy 11 of the adopted Local Development Plan as well as Policy 12 of the proposed Local Development Plan.

Cumulative Impacts

Surrounding uses include individual residential properties, farm holdings and agricultural business premises. The site is 700m from the settlement boundary of Port Glasgow. Areas such as this at the fringe of urban areas often incorporate a variety of land uses, including electricity infrastructure, waste recycling or wastewater management, which are often located close to the boundaries of settlements for operational reasons. In conjunction with the existing buildings and structures in the surrounding area, the limited scale of the proposed development is such that there are no significant cumulative effects that alter the wider landscape character. It should be added that the landscape at this location is not considered to be of special value, is not a recognised designation or highly distinctive. Localised landscape impacts as a result of renewable energy developments are generally acceptable under NPF4.

Core Paths

The closest core path is 0.7km north of the site and visibility of the proposed development is limited by terrain and landform. Informal recreational routes are also evident in the wider area, such as around the reservoir systems on the upland plateau and the operational Inverclyde Wind Farm. Impacts from core paths only constitute a minor component of the entire route and would not significantly impact on the enjoyment of users.

As such the proposal is considered acceptable under Policy 11 e) iii) of National Planning Framework 4 and under the terms of Policy 38 of the adopted Local Development Plan as well as Policy 36 of the proposed Local Development Plan.

Flood Risk

Some localised flooding is observed towards the northeast of the site, however, out-with any area of physical development. Other noted issues include a blocked culvert and the presence of nearby functional reservoirs. Reservoir environments are tightly regulated to mitigate against overtopping and Knocknairs Hill Reservoir provides overspill compensation for Harelaw. The site is adjacent to a watercourse (Devol Burn which is the reservoir inlet) and on SEPA's Flood Maps, the area at flood risk is generally within the boundaries of the watercourse. The FRA accounts for the worst-case scenario, which incorporates potential threats from both reservoirs.

SEPA considers essential infrastructure developments of this type to be a relatively low risk land use, in that they can be designed to remain operational if the land floods, and they are unlikely to increase flood risk. SEPA has advised that the absence of land raising will ensure that the flood plain is not diminished in capacity by the development. Furthermore, areas of solid hard standing are limited and much of the proposed groundcover is permeable. In summary, there is capacity to accommodate a 1:200 flood risk.

A 134.9sqm SUDS basin is proposed which will incorporate two inspections per annum. Surface water from west to east is largely intercepted by public roads. Flow rates will also be contained by a hydro brake.

In terms of Policy 9 of the adopted LDP and Policy 10 of the proposed LDP the development is proposed to have a Sustainable Urban Drainage System (SUDS) to manage the surface water run-off from the site. The Head of Service - Roads and Transportation - has not objected to the proposal in terms of flooding or drainage. The provision of further drainage details can be addressed by a planning condition. The proposal complies with Policy 8 of the adopted LDP and Policy 9 of the proposed LDP as well as Policy 9 of the adopted LDP and Policy 10 of the proposed LDP in respect of flood risk and drainage respectively.

Private Water Supplies (PWS)

SEPA guidance indicates that most types of development should occur out with 250m from the point of groundwater and surface water abstraction. There are no properties within this distance of the proposed development. It is reasonable to conclude that the threat to private water supplies is low. The nature of the development is such that deep excavations are generally avoided. However, sources and abstraction points for private water supplies are often difficult to identify. Therefore, if the proposal is consented, a planning condition is necessary, requiring monitoring of sampling locations and appropriate mitigation, if impacts are identified.

Air Quality

Five main pollutants are at risk of exposure in the event of a combustion event. The applicant has provided an Air Quality Assessment. Although short term and limited occupational exposure to pollutants is possible, no significant health impacts are expected. Standard mitigation measures include preparing Communication Protocols; a Dust Management Plan; Site Management and Incident Recording; regular Monitoring Protocols; Site Preparation Measures; Machine Operation

Measures; Traffic Controls Measures; Waste Management Protocols and Demolition and Construction Procedures. The mitigation measures and steps are outlined in detail within the Air Quality Assessment. Fire risk from BESS is not a material planning consideration, however, impacts on air quality are relevant to Policy 23 of NPF4, Policies 4(d) and 12 of both the adopted Local Development Plan and Policies 4(d) and 13 of the proposed Local Development Plan.

Air quality monitoring will be undertaken in the event of any incident which may impact air quality. A Mitigation Plan may subsequently be required.

The proposed development is not considered to have a significant impact on air quality (subject to conditions) and is therefore considered to accord with policy 23 of NPF4, policy 4 of both the adopted and proposed Inverclyde Local Development Plans and policies 12 and 13 of the adopted and proposed Local Development Plans respectively.

Cultural Assets and Archaeology

There is a general absence of historic environment assets (i.e. Archaeology, Scheduled Monuments, Listed Buildings, Conservation Areas and Gardens and Designed Landscapes) in the immediate vicinity of the proposed development. There are two scheduled monuments (Roman Fortlet and Hut Circle) 1.2km west of the proposed site. Such scheduled monuments may have had funerary uses, and the appeal of the asset would rely to some extent on view to, and views from the monument. The Fortlet/Circle is a considerable distance from the proposed development and although the development will be clearly visible, the local landscape is characterised by contemporary industrial developments such as wind generation turbines, gasification and electricity transmission cables and infrastructure. There is however enough evidence of human activity to suggest that buried archaeological remains may be present around the site itself. Should planning permission be granted, an Archaeological Watching Brief can be addressed by a planning condition.

It is considered that the distance from listed buildings, scheduled monuments and conservation areas are sufficient to ensure that there are no unacceptable impacts on their settings. It is considered that the proposal is acceptable under the terms of Policy 7 of National Planning Framework 4 and Policy 7 of both the adopted and proposed Local Development Plans.

Noise Impact

Noise impacts from this type of development are a result of operation of the transformer, inverter(s) and air conditioning within the battery containers. A Noise Impact Assessment compliant with BS 4142 has been submitted with measurements taken from six noise sensitive locations.

The selected locations (NSR) are situated north, south and northeast of the site and include two locations within the Port Glasgow area (Alderwood Crescent and Mackie Avenue) and three individual properties on Douglielhill Road (Craigton View, Old filter station house (Dog Kennels), West Douglielhill Farm (derelict) plus Auchentiber Farm to the south of the proposed site.

The assessment uses typical lowest daytime and nighttime noise levels at the selected measurement positions. These noise levels are considered representative of the noise environment around the residential properties. The assessment accounts for the established profile of the general area as semi-rural/suburban. Predictions at the various NSR are informed by an indicative selection of potential plant that would produce noise. The report concludes that noise from the BESS is likely to be low impact and no mitigation is suggested.

As a precautionary approach, considering the position of the BESS on an urban fringe, and should the proposal receive consent, a condition requiring the installation and maintenance of acoustic fencing will be attached to any subsequent consent.

The Council's Public Protection Manger has stated that the operational noise rating level should not exceed 5dB(A) above background noise levels as calculated at residential noise sensitive receptors,

and the site should only operate with an acoustic fence/barrier in place. Suitable conditions should be added to any subsequent consent.

The proposal is therefore acceptable in this regard under Policy 11 e) i) of National Planning Framework 4 and under the quality of being "Safe and Pleasant in Policy 1 of both the adopted and proposed Local Development Plans.

Site Decommissioning and Restoration

Policy 11 e) of National Planning Framework 4 requires demonstration of how impacts are to be addressed including proposals for the decommissioning of developments, ancillary infrastructure, and site restoration.

The applicant has indicated that the intended lifetime of the proposal is 25 years after which the facility will be decommissioned, and the land restored to its former state. No other information regarding this has been submitted. Notwithstanding, given the type of development and its location, it is considered that decommissioning and site restoration is necessary at the end of the lifetime of the development. It is considered that a planning condition is necessary to ensure sufficient funds are available to decommission and restore the site. If the developer was to go out of business with unfinished works potentially being left, this can be safeguarded by ensuring that a bond or other financial provision is put in place to cover such an eventuality. The bond or other financial provision would address reinstatement works both in the event of a developer failing or being unable to complete restoration works together with any failure in the aftercare arrangements associated with the site restoration.

If the development fails to export electricity to the grid for a continuous period of 12 months it will be considered to have become redundant and the components of the development removed, and the site restored. It is considered necessary for this to be addressed by a planning condition.

Conclusion

It is acknowledged that the development is within the green belt. The proposal represents a change at this location; however, this should be balanced against development of this type being required to store and distribute renewable energy produced to contribute towards the net zero targets. It should be noted that the site is not located in an entirely remote rural location and there are other forms of energy development in the local and wider area.

The proposed site is approximately 0.8km from the Devol sub-station and near the settlement boundary of Port Glasgow. Therefore, the requirement for the site to be accessible would be met. The visual and landscape impacts as a result of the development are localised, and benefit from some terrain shielding.

There will be landscape and visual impacts associated with the proposal, particularly until the proposed landscape planting becomes established and matures. These impacts are, however, limited and considered acceptable in the context of the benefits that the proposal will bring in terms of contributing to energy storage. The proposal will support the resilience of the electricity network and contribute to sustainable development, providing for greater and more efficient use of renewable energy generation in the electricity system, and in this regard, it will contribute to greenhouse gas emission reduction targets.

The benefits of the proposed development are considered to outweigh any adverse impacts. The proposal is therefore considered to be acceptable when assessed against the relevant policies of National Planning Framework 4, the adopted Inverclyde Local Development Plan as well as the proposed Inverclyde Local Development Plan. There are no material considerations that outweigh the policies.

RECOMMENDATION

That the application be granted subject to the following conditions:

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

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

2. The battery energy storage facility hereby approved shall not exceed 49.9MW in generating capacity.

Reason: To ensure the development complies with the development consented and electricity generation exceeding this capacity requires consent under different legislation.

3. Development shall not commence until the applicant/developer has submitted details of private water sampling locations, background baseline monitoring details and a timescale for reporting for the approval in writing by the Planning Authority. Should the sampling thereafter indicate that there have been adverse impacts on the Private Water Supply, a Scheme of Mitigation shall be submitted to and approved in writing by the Planning Authority and shall take immediate effect upon such approval.

Reason: To protect the source and quality of private water supplies.

4. Development shall not commence unless and until a finalised Landscaping Plan has been submitted to and received the written approval of the Planning Authority. The Landscaping Plan shall include, however not be limited to: -

(i) Details, including plans, sufficient to identify the location of all proposed landscape planting on site.

(ii) Details of the species composition and layout of proposed landscape planting (including the use of semi-mature trees where practicable), evidencing the proposals will be capable of providing effective screening of the development.

(iii) Details of the management of the landscape planting to ensure it establishes and is maintained throughout the lifetime of the development, providing effective screening of the development.

(iv) Details of the timetable for the implementation of the planting detailed within the Landscaping Plan.

The approved Landscaping Plan shall thereafter be implemented in full, in accordance with the approved plans and in line with the approved timetable, unless otherwise agreed in writing in advance by the Planning Authority.

Reason: To ensure planting undertaken will provide effective screening of the development and will be maintained in an effective condition for the lifetime of the development, in the interests of visual amenity

5. Development shall not commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to and received the written approval of the Planning Authority, in consultation with Roads and Transportation and Transport Scotland. The CTMP shall include however not be limited to details of:

(i) The routing of all traffic associated with the development on the local road network, including on the trunk road network to access the site, and measures to ensure that the specified routes are adhered to, including monitoring procedures; construction traffic management and mitigation

measures and timings thereof; permits, junction widening, routes and volumes for imported materials, and any associated signage.

(ii) Mitigation and Traffic Management Measures to ensure that construction traffic is managed to reduce the impacts on public roads, drainage, structures and other street furniture and reduce the impact on the road condition.

(iii) Traffic Management and Site Protocol, including details of measures to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities and measures to clean the site entrances and the adjacent local road network if required.

(iv) Details of any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered, such measures must be undertaken by a recognised Quality Assured Traffic Management Consultant.

(v) Any weight restrictions on the delivery route shall be reported and complied with during usage of the routes.

(vi) Any temporary site access signage and temporary traffic management measures for the construction of the site access.

The CTMP as approved shall thereafter be implemented in full and always adhered to, unless otherwise agreed in advance in writing by the Planning Authority.

Reason: In the interests of road safety and to ensure that impacts on routes and communities are adequately assessed and used to inform appropriate mitigation measures.

6. For the avoidance of doubt parking spaces in the site shall be a minimum of 2.5m by 5.0m with a minimum of 6m aisle spacing.

Reason: To ensure parking space dimensions meet national standards.

7. For the avoidance of doubt visibility splays of 2.4m x 90.0m x 1.05m shall be always maintained at the vehicular access with Douglichill Road as shown on drawing SD-03 Rev 02.

Reason: In the interests of road safety.

8. For the avoidance of doubt: the vehicular access to the site shall be fully paved for a minimum of 20m; the gradient of access shall not exceed 10%; and the minimum width of the access shall be 4.8m for the first 20m.

Reason: To prevent loose driveway material being spilled onto the road and in the interests of residential amenity and road safety.

9. Development shall not commence unless and until full details, including location, dimensions and specification of the Acoustic Fences, including their noise attenuation properties, have been submitted to and approved in writing by the Planning Authority. The Acoustic Fences shall thereafter be installed on site before the first commissioning of the development and shall remain in position for the lifetime of the development, in accordance with the details approved unless otherwise agreed in writing in advance by the Planning Authority.

Reason: To ensure appropriate mitigation is secured and implemented in the interests of residential amenity.

10. In the event of any suspected contamination or Japanese Knotweed being discovered, site works shall cease with immediate effect and the matter brought to the attention of the Planning Authority: thereafter, site works may not recommence until a Remediation Scheme (to be submitted for the prior written approval of the Planning Authority) has been completed to the satisfaction of the Planning Authority.

Reason: To ensure that any contamination and Japanese Knotweed concerns are managed appropriately.

11. Development shall not commence unless and until full details of all Site Lighting have been submitted to and approved in writing by the Planning Authority. The details shall include however shall not be limited to:

- (i) The location of all temporary and permanent site lighting, and full details including elevation plans of the lighting columns/units proposed.
- (ii) Lux levels of the temporary and permanent site lighting and details of the lighting unit model, noting all permanent lighting units will require to be motion-activated in nature.
- (iii) Measures, including directional positions of lighting, to reduce light pollution/spillage in the surrounding area.

For the avoidance of doubt, all permanent site lighting shall be motion-activated in nature and the site shall not be otherwise lit during hours of darkness, save for being activated by movement within the site.

The lighting shall be implemented on site in accordance with the approved details.

Reason: To ensure appropriate lighting is operated on site with mitigation to protect amenity and in the interests of ecology and the environment.

12. Development shall not commence unless and until details and specifications of all development infrastructure have been submitted to and approved in writing by the Planning Authority. These details shall include however not limited to:

- (i) Dimensions of all infrastructure components, buildings and structures forming the development.
- (ii) Details of the make and model of infrastructure units to be installed on site, including sound level output where relevant.
- (iii) The external colour and/or finish of all development infrastructure.

The development infrastructure shall thereafter be installed in accordance with the details approved above and maintained in the approved colour, free of rust and discolouration for the lifetime of the development.

Reason: To ensure the colour of all built elements within the site is reflective of the landscape setting in the interests of visual amenity.

13. All vegetation clearance, tree felling, soil stripping and construction works shall be undertaken out with the breeding bird season (March to August inclusive). Where this is not possible, nesting/breeding bird surveys shall be undertaken by an appropriately qualified ornithologist, of any areas to be the subject of vegetation clearance, tree felling, soil stripping or construction works and the results of the surveys shall be used to produce a Bird Protection Plan (BPP) to be submitted for the written approval of the Planning Authority prior to any such activities taking place on site. The BPP shall include full details of the surveys carried out and their results, all necessary mitigation and operational protocols appropriate to the species identified during the surveys, including any appropriate buffers to prevent or minimise disturbance of birds during vegetation clearance, tree felling, soil stripping and construction works and any post-construction restoration. The Bird Protection Plan approved above shall thereafter be implemented in full in accordance with the

approved details during all vegetation clearance, tree felling, soil stripping and construction works, and post-construction restoration works.

Reason: To ensure protection of the environment of breeding birds

14. Not more than three months prior to the commencement of development, Ecology Pre-commencement Surveys shall be conducted to determine the presence or otherwise of bats, otters, badgers, red squirrels, reptiles and other protected species which may be present on site. Details of the surveys and the results of the surveys shall be submitted to the Planning Authority prior to the commencement of development. Where the surveys required above indicate that any protected species are present on site or could be affected by the development, Species Protection Plans, specific to each relevant species, detailing all mitigation required shall be submitted for the written approval of the Planning Authority, prior to the commencement of development. Any Species Protection Plans approved above shall be implemented in full as approved during all construction works.

Reason: To ensure that adequate ecological protection is implemented, in the interests of minimising adverse effects on the species.

15. Development shall not commence until a detailed Decommissioning and Restoration Scheme has been submitted to and approved in writing by the Planning Authority. The Scheme shall detail the measures for the decommissioning and removal of the containers, batteries and associated ancillary infrastructure and restoration of the site thereafter to restore the site to its former condition or such other condition as agreed in writing by the Planning Authority. The scheme shall cover however not be limited to the following matters:

- (i) works for the removal of all containers, batteries and ancillary infrastructure.
- (ii) environmental management provisions to be implemented throughout the decommissioning and restoration period.
- (iii) details of the restoration works and timetable for all decommissioning and restoration works.
- (iv) details of aftercare provisions to ensure the restoration has been successful.

No later than 6 months prior to the expiry of this consent, or intended decommissioning of the development, whichever is earlier, the containers, batteries and ancillary infrastructure will be decommissioned and removed from site and restoration undertaken in accordance with the decommissioning and restoration scheme approved above.

Reason: To ensure the satisfactory restoration of the site in a suitable and environmentally acceptable manner, in the interests of safety, amenity and environmental protection.

16. For the avoidance of doubt if the battery storage facility does not import or export electricity to and from the grid for a continuous period of 12 months the applicant/developer shall, no later than the date of expiration of the 12 months period, submit a scheme to the Planning Authority setting out how the development is to be removed from the site and fully restored. Thereafter, the approved scheme shall be implemented within 12 months of the date of approval, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of maintaining control of the development should it become redundant and to ensure that the site is restored.

17. Development shall not commence unless the applicant/developer has delivered a bond or other form of financial guarantee in terms acceptable to the Planning Authority which secures the cost of performance of all decommissioning, restoration and aftercare obligations contained in Condition 15 to the Planning Authority. The financial guarantee shall thereafter be maintained in favour of the Planning Authority until the date of completion of all restoration and aftercare obligations. The value of the financial guarantee shall be determined by a suitably qualified independent professional as

being sufficient to meet the costs of all decommissioning, restoration and aftercare obligations contained in Condition 15. The value of the financial guarantee shall be reviewed by a suitably qualified independent professional no less than every five years and increased or decreased to take account of any variation in costs of compliance with restoration and aftercare obligations and best practice prevailing at the time of each review.

Reason: To ensure that sufficient funds are in place to cover the completion of the restoration works together with any failure of the restoration works or in the aftercare arrangements associated with the site restoration and the decommissioning of the above ground infrastructure, in the interests of protecting and minimising the impact on the environment and surrounding area.

18. Development shall not commence until final details of the external appearance, dimensions and finishing and surface materials of the temporary construction compound and parking areas and any fencing, lighting or other ancillary structures associated with the temporary construction compound have been submitted to and approved in writing by the Planning Authority.

The temporary construction compound and its associated ancillary infrastructure shall be implemented in accordance with the details approved above, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the temporary construction compound is constructed in accordance with the approved plans.

19. The noise Rating Level from the operation of the development, including all associated infrastructure hereby approved, shall not exceed 5 dB(A) above the background sound levels as measured or calculated at the curtilage of any occupied residential Noise Sensitive Receptors (as existing or consented at the time of this consent) as defined in BS:4142.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

20. Development shall not commence until details of the proposed surface water drainage have been submitted to and approved in writing by the Planning Authority. Following approval, the surface water drainage shall be fully implemented on site.

Reason: To avoid impacts on the water environment and mitigate flood risk and runoff.

21. Development within the site as outlined in red on the approved plan shall not commence unless and until the developer has secured the implementation of a Programme of Archaeological Works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. Thereafter, the developer shall ensure that the Programme of Archaeological Works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken.

Thereafter the developer shall ensure that the Programme of Archaeological Works as approved above is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the approved scheme.

Reason: To ensure archaeological interests that may exist or be discovered on the site are not destroyed or disturbed without being recorded.

22. In the event of any incident occurring at the development which would result in an adverse impact on the air quality (such as a thermal runaway or gaseous release) air quality monitoring will be organised immediately at sensitive receptor locations. The air quality monitoring should cover site specific gaseous contaminants. Air Quality Reports shall be sent to the Public Health Manager for review accompanied by a Pollution Mitigation Plan within 48hrs of the event. Monitoring shall continue until the satisfaction of the Council as Planning Authority, in consultation with the Public Health Manager.

Reason: To safeguard and maintain the air quality, where affected by the development.

Neale McIlvanney
Interim Director
Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Colin Lamond on 01475 712422.

Report To: The Planning Board

Date:

6th August 2025

Report By: Interim Director - Regeneration

Report No:

25/0001/EAA

**Contact
Officer:**

Colin Lamond

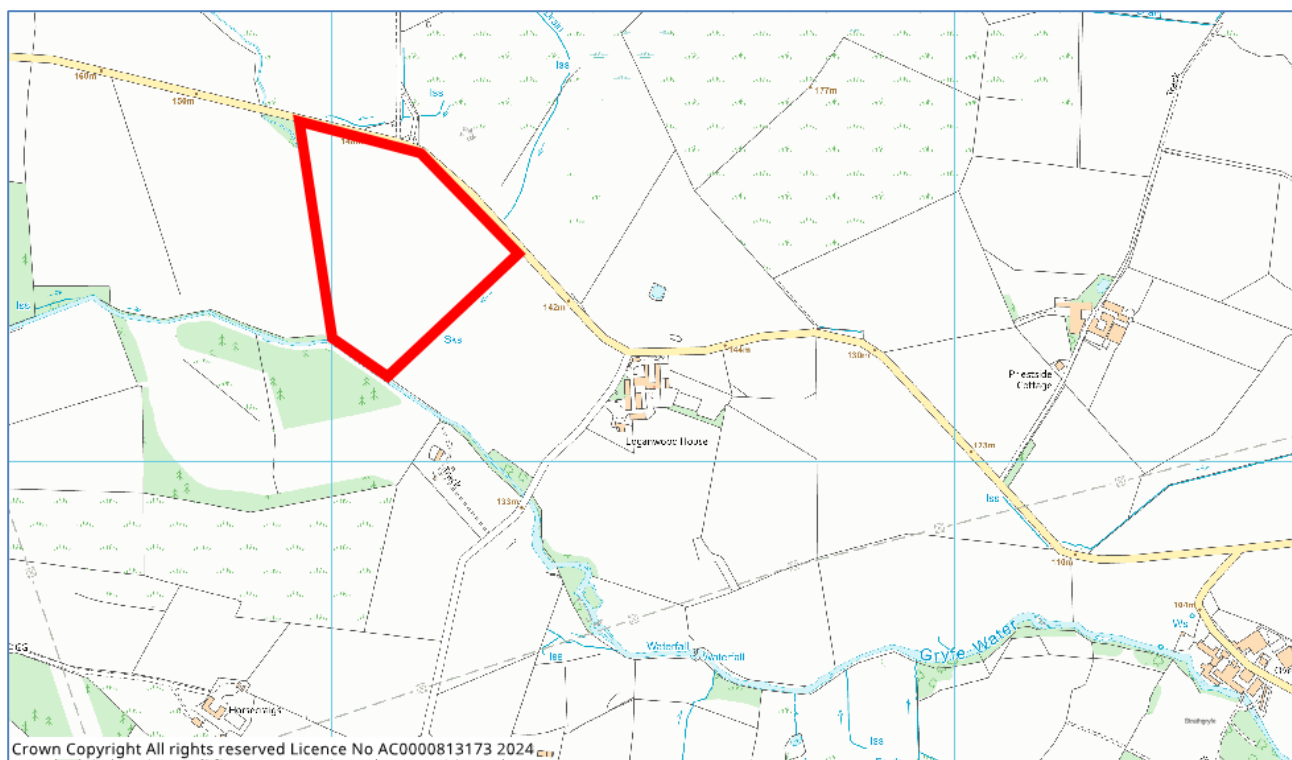
Contact No:

01475 712422

Subject:

Siting of Battery Energy Storage System (BESS) of up to 400 MW capacity, associated access improvements, substation, construction compound/laydown and ancillary works including landscaping and SUDS at

Land at Loganwood House, High Mathernock Farm, Kilmacolm



SUMMARY

- This a consultation with the Council by the Scottish Ministers under the Section 36 of the Electricity Act 1989.
- The proposal is not acceptable with regards to the relevant policies of National Planning Framework 4 as well as both the adopted and proposed Inverclyde Local Development Plans.
- The recommendation is to object to the proposal.

The application may be viewed at:

[Scottish Government - Energy Consents Unit - Application Details](#)

INTRODUCTION

Proposals to construct generating stations that exceed 50 megawatts require consent under Section 36 of the Electricity Act 1989 and Scottish Ministers are responsible for approving applications for these development proposals. As such an application has been made by Harmony HM Ltd to the Scottish Ministers to install a battery storage facility with associated ancillary infrastructure at land at Loganwood House, High Matherknock Farm, Kilmacolm (Scottish Government reference number ECU00005083). A battery storage facility is considered to be a generating station.

The Scottish Ministers are required to consult the Planning Authority where the development is located, NatureScot (former known as Scottish Natural Heritage), the Scottish Environment Protection Agency, Historic Environment Scotland, as well as other relevant consultees and take their views into account during the decision-making process.

In circumstances where important issues are raised, Scottish Ministers can decide to hold a public local inquiry before decisions are taken, including if objected to by the Planning Authority or other consultee.

On granting consent under Section 36 the Ministers may also direct that planning permission for that development shall be deemed to be granted in terms of Section 57(2) of the Town and Country Planning (Scotland) Act 1997. The consent and deemed planning permission may be subject to conditions.

It should be noted that Scottish Ministers have adopted an EIA Screening Opinion prior to the submission of the application on 25th October 2024 under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, which concluded that the proposed development did not require an Environmental Impact Assessment (EIA).

SITE DESCRIPTION

The application site comprises a field located on the south side of Auchentiber Road, and the site area extends to 3.1 hectares. The site is in the rural area/green belt approximately 2km to the south of Port Glasgow and approximately 2.7km to the north-west of Kilmacolm.

The field is currently used for agricultural purposes and is delineated by low-lying hedgerows forming boundaries to the east and west (the Gryffe Water provides the southern boundary). The field undulates and the ground levels drop across the field in a general north to south direction. The site levels fall from the high point of approximately 145m Above Ordnance Datum (AOD) at Auchentiber Road to a low point of approximately 133m at the southern boundary (Gryffe Water).

The Gryffe Water runs along the southern boundary of the site, and it features trees which flank its banks. There is an area of woodland at the southern fringe of the site.

The area surrounding the site is largely composed of agricultural land, with some individual rural dwellinghouses located throughout the landscape. The nearest properties are High Matherknock/Loganwood House (250m west), The Haven (560m south), Auchenfoyle (850m southwest) and Priestside (1.2km).

The Devol Moor sub-station is located approximately 1.7km to the north-west of the site. There are wind turbines on land to the north of the application site. There are also electricity pylons/overhead lines traversing the landscape.

PROPOSAL

The proposal is for a 350-megawatt (MW) Battery Energy Storage Facility and associated infrastructure. The proposal is to allow electricity from the national grid to be stored in batteries at times of low demand and then exported back to the grid at times of high demand. This is intended to prop up the grid and provide a more reliable supply of energy to users. The applicant has indicated the intended lifetime of the proposal is 40 years, after which the facility will be decommissioned and the land restored to its former state.

The proposal comprises the following:

Containerised units

The proposed development is to comprise 87 containerised units to house battery energy storage systems and associated ancillary infrastructure. The containers will each measure up to approximately 18m (length); 4m (width) and 3.5m (height).

Heating, liquid cooling and ventilation systems will be integrated into each container unit. A control room and inverter (9m x 1.6 x 2.85m) are assigned to every 11 containers. A 33kw transformer (2.5m x 2m x 2.5m) is also assigned for each container.

Each battery container has a fire suppression system which constitutes an automated aerosol system.

Cabling between battery containers will be achieved via above ground cable trays and some underground trenches (0.7m x 1.6m).

Sub-station compound

The sub-station compound is proposed with dimensions of 45m x 80m x 9m (height). The northern section of the compound will house transformer, disconnector, surge protector and circuit breaker infrastructure. The mid-section of the compound features an access, turning area and diesel generator. A modular control building is located to the south of the compound (incorporating a recreation area, telecoms room, a control room, protection room and welfare facilities). Door openings are on three elevations.

Control room buildings

Eight control room buildings are located throughout the container array. Each building is proposed to be 12m x 2m x 2.5m (height) with a single personnel door for access.

Customer sub station

A customer substation is located to the immediate north of the sub station compound. The pitched roof building is proposed to be 8m x 17m x 6.7m (height) with six openings on two elevations.

Ground modelling/alterations

A single platform for the development at 138m AOD will be created via cut and fill. The process will also achieve an 'aggregate neutral' outcome with no importation of aggregate required for the construction. A retaining wall will be constructed along the northern perimeter of the site (4-6m high using gabion baskets).

Access road

Access tracks 4m in width will be constructed within the site to service the infrastructure. The access tracks will be constructed from hardcore or gravel over a substrate. Two accesses will be formed from Auchentiber Road (northeast and northwest corners). One will function as an emergency access. A parking area to the eastern periphery of the site is also annotated.

Boundary fencing

A palisade fence to a height of 3.5m height will be installed around the development site perimeter. A 3m high acoustic (noise absorption) fence will be constructed around the battery array.

CCTV and security lighting

CCTV will be mounted on green coloured steel poles to a height of 3m. The cameras will be inward focused. Low level direction lighting on 3m high poles will provide maintenance lighting and activation triggered security. The site will not generally be lit at night unless triggered by a security breach.

Landscape

Tree planting is proposed to the north, south, east and west. A southern stretch of wet meadow planting is proposed, which also encircles the proposed SUDS pond. A broad section of wildflower meadow is proposed along the far southern boundary. A native woodland mix for the wet meadow and a hedgerow mix will be included.

Connection to Devol Moor sub-station

An underground cable is to connect the site to the Devol Moor sub-station. It has been indicated the final route of the grid connection has yet to be confirmed, however a connection date in 2029 is likely. The cable route is not part of this submission.

Indicated construction period

It has been indicated the development is to have a construction period of 18 months.

Submitted reports

The Section 36 Application has been accompanied by: an Air Quality Impact assessment (November 2024); an Archaeological Assessment (August 2024); a Flood Risk Assessment including Sustainable Drainage (November 2024); an Ecological Desk Study (December 2024); a Breeding Bird Survey Report (December 2024); a Protected Species Survey Report (December 2024); a Vegetation Classification Survey Report (December 2024); an Outline Construction Environmental Management Plan (December 2024); a Geology, Soils and Groundworks Strategy Report (February 2025); a Landscape and Visual Impact Assessment (July 2024); Noise Impact Assessment (February 2025); Construction Traffic Management Plan and Transport Statement (November 2024); Battery Safety Management Plan (December 2024); and a Socio-Economic Benefit Statement (November 2024).

DEVELOPMENT PLAN POLICIES

NATIONAL PLANNING FRAMEWORK 4

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

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

Policy 1 - Tackling the Climate and Nature Crises

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

Policy 2 - Climate Mitigation and Adaption

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

Policy 3 - Biodiversity

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
 - i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
 - ii. wherever feasible, nature-based solutions have been integrated and made best use of;
 - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
 - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their longterm retention and monitoring should be included, wherever appropriate;
 - and v. local community benefits of the biodiversity and/or nature networks have been considered.
- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.

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

Policy 4 - Natural Places

a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.

f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

Policy 5 - Soils

a) Development proposals will only be supported if they are designed and constructed:

- i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and
- ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.

b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:

- i. Essential infrastructure and there is a specific locational need and no other suitable site;
- ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
- iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;
- iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and

In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.

Policy 6 - Forestry, Woodland and Trees

a) Development proposals that enhance, expand and improve woodland and tree cover will be supported.

b) Development proposals will not be supported where they will result in

- i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
- ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
- iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;
- iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.

c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

d) Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.

Policy 7 - Historic Assets and Places

a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

h) Development proposals affecting scheduled monuments will only be supported where:

- i. direct impacts on the scheduled monument are avoided;
- ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided;
- or
- iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.

Policy 8 - Green Belts

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

i) they are for:

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

and

ii) the following requirements are met:

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

Policy 11 - Energy

a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

- i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;
- ii. enabling works, such as grid transmission and distribution infrastructure;
- iii. energy storage, such as battery storage and pumped storage hydro;
- iv. small scale renewable energy generation technology;
- v. solar arrays;
- vi. proposals associated with negative emissions technologies and carbon capture; and
- vii. proposals including co-location of these technologies.

b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.

c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.

e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:

- i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;
- ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable;
- iii. public access, including impact on long distance walking and cycling routes and scenic routes;
- iv. impacts on aviation and defence interests including seismological recording;
- v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- vi. impacts on road traffic and on adjacent trunk roads, including during construction;
- vii. impacts on historic environment;
- viii. effects on hydrology, the water environment and flood risk;
- ix. biodiversity including impacts on birds;
- x. impacts on trees, woods and forests;
- xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;
- xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and
- xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity.

Policy 14 - Design, Quality and Place

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

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

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

Pleasant: Supporting attractive natural and built spaces.

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

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

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

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

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

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

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

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

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

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

iii. Integrate transport modes;

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

- v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
 - vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
 - vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
 - viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
 - d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
 - e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
 - f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
 - g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

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

Policy 22 - Flood Risk and Water Management

- a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:
 - i. essential infrastructure where the location is required for operational reasons;
 - ii. water compatible uses;
 - iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
 - iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- all risks of flooding are understood and addressed;
- there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- the development remains safe and operational during floods;
- flood resistant and resilient materials and construction methods are used; and
- future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- that the proposal does not create an island of development and that safe access/egress can be achieved.

b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.

c) Development proposals will:

i. not increase the risk of surface water flooding to others, or itself be at risk.

ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer;

iii. seek to minimise the area of impermeable surface.

d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.

e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

Policy 23 - Health and Safety

d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.

e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

Policy 29 - Rural Development

a) Development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:

- i. farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;
- ii. diversification of existing businesses;

- iii. production and processing facilities for local produce and materials, for example sawmills, or local food production;
- iv. essential community services;
- v. essential infrastructure;
- vi. reuse of a redundant or unused building;
- vii. appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- viii. reuse of brownfield land where a return to a natural state has not or will not happen without intervention;
- ix. small scale developments that support new ways of working such as remote working, homeworking and community hubs; or
- x. improvement or restoration of the natural environment.

b) Development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

ADOPTED 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 4 - Supplying Energy

Proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impact on:

- a) the green network (including landscape), and historic buildings and places;
- b) the amenity and operations of existing and adjacent uses;
- c) tourism and recreational resources;
- d) air quality;
- e) aviation and defence interests;
- f) telecommunication and broadcasting interests; and
- g) traffic and pedestrian safety

Relevant proposals are required to accord with the Council's Supplementary Guidance on Energy.

Policy 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);
- b increase the level of flood risk elsewhere; and
- c reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 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 12 - Air Quality

Development that could have a detrimental impact on air quality or would introduce a sensitive receptor to an area with poor air quality will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

Policy 14 - Green Belt and Countryside

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

Policy 15 - Soils

Development on prime agricultural land or affecting carbon rich soils will only be supported if:

- a) it is on land allocated for development in this Local Development Plan or meets a need identified in the Strategic Development Plan;
- b) there is a specific locational need for the development;
- c) it is for small scale development directly linked to a rural business; or
- d) it is for renewable energy generation or mineral extraction, and the proposals include provision for the site to be returned to its former status.

For carbon rich soils, it will also need to be demonstrated that adverse impacts on the soil resource during the construction and operational phases of a development will be minimised and the development will not result in a net increase in CO2 emissions over its lifetime.

Policy 31 - Scheduled Monuments and Archaeological Sites

Development that would potentially have an adverse effect on a Scheduled Monument or the integrity of its setting will only be permitted in exceptional circumstances. Development affecting archaeological sites should seek to preserve the archaeological resource in situ.

Policy 33 - Biodiversity and Geodiversity

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

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

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

Protected Species: Development affecting Protected Species will only be permitted where:

- it preserves public health or public safety or is for other imperative reasons of overriding public interest including those of a social or economic nature and has beneficial consequences of primary importance for the environment;
- there is no satisfactory alternative; and
- it maintains the species in a favourable conservation status.

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

Local Landscape Area: Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special features as set out in the Statement of Importance.

Non-designated sites: The siting and design of development should take account of local landscape character. All development should seek to minimise adverse impact on wildlife, especially species and habitats identified in the Local Biodiversity Action Plan. Development should take account of

connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

Policy 34 - Trees, Woodland and Forestry

The Council supports the retention of ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a it can be clearly demonstrated that the development cannot be achieved without removal;
- b the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council. This will also cover the protection of ancient woodlands and the management and protection of existing and new trees during and after the construction phase.

Policy 38 - Path Network

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

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

Policy 39 - Water Environment

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

- a) supporting the strategies and actions of the national and regional marine plans, and supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;
- b) minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;
- c) the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;
- d) avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements; maintaining or improving waterside and water-based habitats; and
- e) providing appropriately sized buffer strips between development and watercourses, in line with SEPA guidance, and providing access to the water and waterside, where appropriate.

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 4 - Supplying Energy

Proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impact, including cumulative impact on:

- a) the resources protected by the Plan's historic buildings and places and natural and open spaces chapters;
- b) the amenity and operations of existing and adjacent uses;
- c) tourism and recreational resources;
- d) air quality;
- e) aviation and defence interests;
- f) telecommunication and broadcasting interests; and
- g) traffic and pedestrian safety

Where relevant, proposals are to be accompanied with restoration plans acceptable to the Council.

Relevant proposals are required to accord with the Council's Supplementary Guidance on Energy.

Policy 10 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 4th edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- a) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- b) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place, which identifies who will be responsible for maintenance and how this will be funded in the long term.

Policy 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 13 - Air Quality

Development that could have a detrimental impact on air quality or would introduce a sensitive receptor to an area with poor air quality will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

Policy 15 - Green Belt and Countryside

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) within the curtilage of an existing use, which is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location. Proposals in the green belt must not undermine the objectives of the green belt as set out in Scottish Planning Policy and the Clydeplan Strategic Development Plan. Non-conforming uses will only be considered favourably in exceptional or mitigating circumstances.

Policy 16 - Soils

Development on prime agricultural land will only be supported if:

- a) it is on land allocated for development in this Local Development Plan or meets a need identified in the Strategic Development Plan;
- b) there is a specific locational need for the development;
- c) it is for small scale development directly linked to a rural business; or
- d) it is for renewable energy generation or mineral extraction, and the proposals include provision for the site to be returned to its former status.

Development should avoid the unnecessary disturbance of peat and carbon-rich soils. Best practice must be adopted in the movement, storage, management and reinstatement of peat and carbon-rich soils.

Where peat and carbon rich soils are present on an application site, a depth survey must be undertaken which demonstrates that areas of deep peat have been avoided as far as is possible. A peat management plan must also be produced, detailing mitigation measures which demonstrate that the unnecessary disturbance, degradation or erosion of peat will be avoided. It will also need to be demonstrated that adverse impacts on the soil resource during the construction and operational phases of a development will be minimised and the development will not result in a net increase in CO2 emissions over its lifetime.

Policy 31 - Scheduled Monuments and Archaeological Sites

Development that would potentially have an adverse effect on a Scheduled Monument or the integrity of its setting will only be permitted in exceptional circumstances.

Development affecting archaeological sites should seek to preserve the archaeological resource in situ. Where this is not possible, the developer will be required to fully record the archaeological resource for archiving, prior to development commencing.

Policy 33 - Biodiversity and Geodiversity

European sites

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

- there are no alternative solutions; and
- there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- compensatory measures are provided to ensure that the overall coherence of the network is protected. In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

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

Local Nature Conservation Sites

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

Non-designated sites

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

Policy 34 - Landscape

The siting and design of development should take account of local landscape character and setting in order to conserve, enhance and/or restore landscape character and distinctiveness. Development should aim to conserve those features that contribute to local distinctiveness including:

- the setting of buildings and settlements within the landscape
- the pattern of woodlands, fields, hedgerows and trees; especially where they define/ create a positive settlement/ urban edge
- the character and distinct qualities of river corridors
- historic landscapes
- topographic features, including important/prominent views, vistas and panoramas

When assessing development proposals likely to have a significant impact on the landscape, the guidance contained in the Glasgow and Clyde Valley Landscape Character Assessment will be taken into account.

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

Policy 35 - Trees, Woodland and Forestry

The Council supports the retention of trees, including ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- it can be clearly demonstrated that the development cannot be achieved without removal; or
- the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council.

Proposals for new forestry/woodland planting will be assessed with regard to the policies of this Plan and the Forestry and Woodland Strategy for the Glasgow City Region.

Policy 36 - Safeguarding Green Infrastructure

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

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

Outdoor sports facilities will be safeguarded from development except where:

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

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

Policy 39 - Water Environment

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

- a) supporting the strategies and actions of the national and regional marine plans, and supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;

b) minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;

c) the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;

d) avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements; maintaining or improving waterside and water-based habitats; and

e) providing appropriately sized buffer strips between development and watercourses, in line with SEPA guidance, and providing access to the water and waterside, where appropriate.

CONSULTATIONS

The Planning Authority is not responsible for consulting on this type of application, rather it is a consultee in the application process.

Consultation responses have been submitted to the Scottish Government Energy Consents Unit, who administer the application process. The available responses from the consultees are on the Scottish Government Energy Consents Unit website and are indicated/summarised below for information purposes.

Scottish Gas Networks – high pressure gas network (G12) is 17m from the development area. Scottish Gas Networks do not object to the development providing the developer consults with SGN with regards to the electrical cable route and all works within 35m of the pipeline. A range of developmental activities may have a negative impact on the pipeline and SGN advice should be sought if necessary.

National Air Traffic Service - the proposed development has been examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Scottish Water - has no objection to the proposal. There are no catchments or abstraction points that would be affected by the proposed development. Written permission must be sought before works commence on infrastructure in proximity to the development area. Scottish Water will not normally allow connections to the combined sewer system. An application for connections to public or wastewater is required.

Health and Safety Executive (HSE) – advise that they have an interest in proposals where developments will be in HSE zones. The development is not within a consultation zone. HSE has only limited interest in BESS developments. The proposal does not require the use or handling of hazardous material.

BT Group - conclude that the location should not cause interference to BT's current and presently planned radio network. BT requires 100m minimum clearance from any structure to the radio link path.

Historic Environment Scotland - advise that the setting of scheduled monument 'AA Battery and Camp' (SM12883) would be impacted by the development however not to an extent that issues of national importance would be raised. Proposed planting should mitigate impacts, and it is advised that the development should not break the skyline when viewed from the monument. Comments previously supplied to the applicant by Historic Environment Scotland have been addressed at the design stage and HES will make no further comment.

SEPA – have no objection, and that the developer should refer to the relevant SEPA standing advice.

Transport Scotland - are satisfied that the proposal will have a negligible impact on the A8(T) and are satisfied that no further assessment of potential environmental effects associated with increased traffic is required for trunk road links. As no abnormal load movements are required, all loads will comply with construction and use regulations. The Transport Statement and CTMP are considered satisfactory, and Transport Scotland have no objection to the proposal based on predicted environmental impacts on the trunk road network.

National Air Traffic Control (NATS) - have no safeguarding objections to the proposal.

Kilmacolm Civic Trust – raise an objection to the proposal on the following points: excessive scale; risk to nearby properties; lack of restoration and decommissioning information; lack of environmental protection; threats from toxic gases; fire risk; and soil contamination.

Office for Nuclear Regulation (ONR) - have no comments on the proposal as the site does not lie within the consultation zone for a nuclear site.

Comments on the application from the Council's Head of Service – Roads and Transportation, the Council's Public Protection Manager and the Council's Archaeology Advisor have been received and are set out as follows.

The Head of Service - Roads and Transportation - advises the following:

- The applicant should provide tracking drawings for heavy goods vehicles entering and exiting the site.
- Tracking drawing shall also be provided to show the proposed routes to the site can accommodate HGVs passing each other on the route and that they can turn at junction on the route to and from the site.
- Access should be fully paved and 5.5m wide for the first 20 metres (to allow two vehicles to pass simultaneously).
- The visibility splay must be kept clear in perpetuity. It is noted that hedgerows may be occluding visibility.
- Parking provision is in outline only, without an indication of number of spaces and/or the volumes of potential users.
- Any access gate should be set back 10 metres from the public road.
- The retaining wall must be designed in accordance with DMRB and submitted to the Roads Service for approval, to ensure that the road network is not compromised.
- Details of the route for construction and maintenance vehicles should be provided and agreed within a detailed Traffic Management Plan.
- A Section 56 Agreement will be required for any changes to the public road network. This may require use of land out with the applicants' present control, however essential to facilitate road widening.
- A lighting plan/drawing should be provided.
- All surface water must be retained within the site.
- Risks from fluvial and surface water flooding must be identified.
- A flood risk assessment (FRA) and Surface Water Management Plan (SWMP) should be provided.

Public Protection Manager - advises that should the application receive consent, a private Water Supply Management Plan should be provided via condition to safeguard and maintain satisfactory private water supplies. In the event of an impact on air quality, a Monitoring Protocol should be established and a Pollution Mitigation Plan provided for the approval of the Public Health Manager.

Given the potential contaminative activities in the surrounding area (historic WW2 air defense), there is a possibility of unrecorded contamination being present within the site and if encountered, further assessment and remedial action may be required. This advice also applies to Japanese Knotweed.

The operational noise rating level should not exceed 5dB(A) above background noise levels as calculated at residential noise sensitive receptors. The site should only operate with an acoustic fence/barrier in place.

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

Archaeology Advisor - advises that the desk-based assessment provided by the applicant is broadly acceptable. Tree planting on the western, eastern and southern boundaries will reduce the visual impact on scheduled monument SM12883 (Military Battery). Although the development area has limited archaeological potential, the presence of assets cannot be discounted. The following measures are advised; provision of a Written Scheme of Investigation detailing the scope of archaeological works; trial trench evaluation to identify heritage resources; and an additional programme of archaeological works (should archaeological assets be discovered).

PUBLICITY

Applications for consent under Section 36 of the Electricity Act 1989 must be advertised by the applicant, not the Planning Authority, in accordance with the requirements of the Electricity (Applications for Consent) Regulations 1990 (as amended). The advert is to include details of how members of the public can make representations to the application to the Scottish Ministers.

The advertisements appeared in the Edinburgh Gazette and the Herald on 28th March 2025 and in the Greenock Telegraph on 25th March 2025 and 1st April 2025.

SITE NOTICES

There are no site notices required for this type of application.

PUBLIC PARTICIPATION

Applications under Section 36 of the Electricity Act 1989 are not subject to neighbour notification in the same manner as applications for planning permission.

At the time of writing, three representations (objections) have been made to Scottish Ministers:

- Strathgryffe Angling Association (2)
- Rosemary Leslie
- Andrew Leslie

ASSESSMENT

In accordance with consultation procedures, the Council requires to indicate its view on the proposal indicating whether it supports or opposes the development. The key considerations for the Council are the location of the proposed development and how the proposal relates to the Development Plan.

National Policy and Principle of the Development

National Planning Framework 4 (NPF4) sets out Scottish Ministers' policies and proposals for the development and use of land. It plays a key role in supporting the delivery of Scotland's outcomes and the United Nations Sustainable Development Goals. Part 1 of NPF4 sets out a Spatial Strategy for Scotland until 2045 and identifies developments of national importance to help deliver that

strategy. The need for Strategic Renewable Electricity Generation and Transmission Infrastructure is established therein. The generation of electricity from batteries is not in itself a renewable source of energy and the generation of electricity from the batteries will not contribute to national targets for production of electricity from renewable energy. However, the proposed development can be considered in general terms to be essential infrastructure through the provision of energy storage that adds flexibility and resilience to maintain and secure reliable supplies of energy.

Part 2 of NPF4 sets out National Planning Policy. NPF4 should be read as a whole, and the weight given to policies therein decided on a case-by-case basis. The greatest weight in consideration of the development in the context of NPF4 is Policy 11 on Energy. The Policy establishes an intent to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. The description in the policy includes energy generation, storage, and new and replacement transmission and distribution infrastructure. Storage is part of the infrastructure necessary to support the continued expansion of renewable energy developments which are necessary for decarbonising the electricity supply. Battery storage can capture excess electricity produced by renewables when supply outstrips demand and releases stored energy as electricity when renewable output is slow, helping balance the system and avoiding curtailing renewable generation. Battery storage can therefore be considered consistent with the policy principles of national policy for tackling the climate and nature crises.

The energy policy sets out the matters that are to be addressed in the design and mitigation of a development including: impacts on communities and individual dwellings; significant landscape and visual impacts; public access; impacts on aviation and defense interests including seismological recording; impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised; impacts on road traffic and on adjacent trunk roads, including during construction; impacts on historic environment; effects on hydrology, the water environment and flood risk; biodiversity, including impacts on birds; impacts on trees, woods and forests; proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration; the quality of site restoration plans, including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and cumulative impacts.

Some of the abovementioned matters will need to be assessed by the Scottish Ministers using the various consultation responses from other agencies that have been received by them.

Policy 11 c) states that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. The direct economic impacts of the development are difficult to quantify although there are likely to be some due to the construction of the development and supply chain opportunities involved. The main benefit of the proposal is that it is part of the infrastructure needed to support the continued expansion of renewable energy developments necessary for decarbonising the electricity supply. The proposal is therefore consistent with the terms of Policy 11 c) of NPF4.

The proposed development is designed to support the flexible operation of the National Grid and the decarbonisation of electricity supply. It is considered in general terms to directly contribute to achieving CO₂ emissions reduction targets, whilst diversifying the energy mix. NPF4 supports renewable energy developments under Policy 11, which in turn supports the general terms of Policy 1 to address the global climate and nature crises. The proposal therefore accords with Policy 1 and some key elements of Policy 11 of NPF4.

Location of the development

The key policies of both the adopted and proposed Local Development Plans in relation to the proposed development are Policy 4, in respect of supplying energy as well as Policy 14 of the adopted Local Development Plan and Policy 15 of the proposed Local Development Plan as the site is in the Green Belt.

Policy 4 indicates that proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to the impact on the green network (including landscape) and historic buildings and places; the amenity and operations of existing and adjacent uses; tourism and recreational resources; air quality; aviation and defense interests; telecommunication and broadcasting interests; and traffic and pedestrian safety.

Consultation responses from relevant consultees have been sent to the Scottish Government Energy Consents Unit in relation to aviation and defense interests as well as telecommunication and broadcasting interests. These matters do not have to be considered by the Council for this application.

The other impacts referred to in Policy 4 of both the adopted and proposed Local Development Plans that require consideration by Inverclyde Council shall be considered elsewhere in this assessment and in conjunction with the relevant consultation responses.

In terms of the location of the site in the Green Belt, this needs to be considered under Policy 8 of NPF4 and Policy 14 of the adopted Local Development Plan as well as Policy 15 of the proposed Local Development Plan. In combination, these policies support renewable energy developments in the Green Belt and support infrastructure with a specific locational need where it is appropriately designed and located. Policy 1 of the adopted and proposed Local Development Plans seeks to ensure that proposals have regard to the six qualities of successful placemaking. Whilst there are no factors specifically relating to battery storage, being "Distinctive" in reflecting urban form (expanded to "respect landscape setting and character, and urban form" in the proposed Local Development Plan) is relevant.

It has been indicated that battery storage facilities must be located within proximity of a viable grid connection that has sufficient capacity to import and export power that will be stored and released into the grid at times of peak demand. Suitable points of connection include a sub-station or an overhead power line. When a suitable connection can be found, other factors need to be taken into consideration that impact on the viability and feasibility of a battery storage facility, particularly the distance from a sub-station. A battery storage facility could potentially be developed up to 2km from the point of the connection. However, the level of efficiency reduces the further away from the connection the facility is located.

With regards to Policy 14 of the adopted Local Development Plan, as well as Policy 15 of the proposed Local Development Plan, the proposal is for infrastructure and can be considered to have a specific locational need as such development needs to be within proximity of a viable grid connection, which is the Devol Moor Sub-Station in this instance. The proposal is therefore supportable in principle in this Green Belt location, subject to it being appropriately designed, located and landscaped. To determine the acceptability of the proposal, key impacts require to be considered. These are primarily the impact on landscape and visual amenity as well as the impact on the natural environment. These factors are assessed in more detail below.

The location of the development also must be considered under Policy 5 of National Planning Framework 4 and Policy 15 of the adopted Local Development Plan as well as Policy 16 of the proposed Local Development Plan. The fields that make up the applications site are used for grazing and are indicated as being located on land that is likely Grade 4.2 soil, which is not considered to be prime agricultural land, defined by Scotland's Soils as "Land capable of producing a narrow range of crops, primarily on grassland with short arable breaks of forage crops." Therefore, the location of the proposal is considered as acceptable under the terms of Policy 5 of National Planning Framework 4 and Policy 15 of the adopted Local Development Plan, as well as Policy 16 of the proposed Local Development Plan.

Impact on the Landscape and Visual Impact

A Landscape and Visual Assessment (LVA) has been submitted with the application relating to the potential landscape and visual implications of the proposed development.

The LVA has allowed for a 1/2/5km study area to assess the impact of the development on both the landscape and visual amenity. A Zone of Theoretical Visibility (ZTV) was prepared to assist in identifying the visual envelope that is likely to be affected by the development. The LVA appraisal includes the following viewpoints:

- Viewpoint 1: View from Devol Moor (north of substation and east of B788)
- Viewpoint 2: View from Devol Moor Road (core path)
- Viewpoint 3: View from High Mathernock (east of site)
- Viewpoint 4: View from Battery SMR (SM12883)
- Viewpoint 5: View from Auchentiber Road (adjacent consented site)
- Viewpoint 6: View from Junction of Auchentiber Road and B788
- Viewpoint 7: View from 'The Haven' retreat (B788)
- Viewpoint 8: View from Cauldside property (minor road)

With regards to visual impacts on individual dwellings and communities, the applicant has provided an assessment of visual and landscape impacts, including viewpoints. Residential properties are considered sensitive to visual impacts, both from inside the property and areas of usable garden space and road approaches to dwellinghouses.

The application site is located in the Rugged Upland Farmland Landscape Character Type. The key characteristics of the Rugged Upland Farmland Landscape Character Type include rocky bluffs and shallow troughs; reservoirs in flooded troughs; dominance of pastoral farming; and frequent tree cover, often emphasising landform and settlements limited to farms and villages.

The Zone of Theoretical Visibility indicates that visibility is more prevalent from the south and west. Although visibility of the development is more pronounced locally, prominent elevations to the southwest (towards Duchal Moor and Renfrewshire Heights) will experience views of the development beyond 5km. Within the Inverclyde boundary specifically, visibility from the west and south (up to 2.5km) is possible.

Viewpoint 1

This viewpoint is located to the northwest at 1.5km on an undesignated track to the immediate east of the Devol substation. Electricity transmission lines are prominent in the foreground. One of the three single turbines is visible (High Mathernock and Priestsides). The proposed (and adjacent consented) development occupies a central proportion of the view, however due to intervening topography and a lack of vertical scale in the proposed development, visual impact is minor to moderate. Combined views with the transmission lines and one operating single turbine (Priestsides) are evident, however the larger Inverclyde wind farm is only visible in sequential views. Proposed planting will screen the development further; however maximum mitigation will not be provided until planting maturity between years 5 and 15.

Viewpoint 2

This viewpoint (Devol Road) is located to the immediate north; within the Devol Upland LCNS and Core Path 37B. Views approximately 800m – 1km from the proposed site along the road/track are highly prominent and occupy a significant proportion of the view. However, much of the northern section of the track/core path (partially accessible by car, although mostly pedestrian) has no visibility of the proposed site, due to topography. Proposed planting will screen the development further; however maximum mitigation will not be provided until planting maturity between years 5 and 15. The impact is significant however not unexpected.

Viewpoint 3

This viewpoint is from High Mathernock 250m from the site boundary. The proposed (and consented Auchentiber site) occupy a significant proportion of the view and can be seen prominently in combined views with Inverclyde wind farm and the transmission lines.

Viewpoint 4

This viewpoint is located westward across the Gryffe watercourse and is situated at the High Mathernock camp and battery SMR. Views are prominent here however are likely to benefit from significant mitigation provided by landscaping.

Viewpoint 5

This viewpoint is located on Auchentiber Road, and both the proposed and consented developments adjacent to the site are prominent and occupy the extent of the view. Mitigation will largely rely on the planting regime proposed for the adjacent consented S36 Auchentiber site. Transmission lines are present in background views.

Viewpoint 6

This viewpoint is located at the junction of the A788 and Auchentiber Road. Intervening landform and vegetation mean that views of both the proposed and consented sites are largely hidden.

Viewpoint 7

This viewpoint is from the 'Haven' residential centre. The Haven has prominent foreground and background views of transmission lines and all three Priestside/High Mathernock turbines. The property has a degree of seclusion and is located around 850m from the proposed and consented BESS sites. Although both sites would theoretically occupy a significant proportion of the view from the Haven, mature existing tree cover mitigates almost all significant views towards both sites. Although tree cover can be transient, this area of woodland has remained intact for a significant number of years and decades and has a high degree of permanency. Inverclyde wind farm is only visible in sequential views (west).

Viewpoint 8

This viewpoint is from the Cauldside property, situated south of Mathernock on a minor road and southeast of the proposed site. Views of the proposed and consented sites are clear and prominent, occupying a central portion of the views alongside combined views of transmission lines and the Priestside turbines. Limited mitigation will be provided by natural screening.

Viewpoint 9

This viewpoint is from the immediate south of Auchenfoyle on the B788 (950m distant). Like 'the Haven' the mature tree cover provides a near comprehensive screening effect for the proposed development. Transmission lines are prominent and the three operational 67m single turbines are visible against a backcloth of sky.

Viewpoint 9

This viewpoint is from Cairncurran Hill (2.3km distant). Due to the elevation (277m) a panorama of the operational single turbines, transmission lines and the consented and proposed BESS developments are visible. The combined view occupies a central and significant proportion of the cumulative view however does not dominate nor is overbearing. Vertical scale is limited.

The LVA considers the undulating landform, combined with the presence of woodland and other vegetation, resulting in a range of short and medium-range views of the site from the surrounding landscape. However, short-range views are available only from local roads and Core Paths close to the site. There may be some medium-range views and potentially a long-range view from high land within the Clyde Muirshiel Regional Park to the south-west of the site. Overall, the LVA considers the visual receptors with views of the site are relatively limited in number and sensitivity.

The site is generally in a dip in the landscape and when viewed from B788 from the west the topography and areas of woodland assist in screening the site. The areas of woodland to the south of the application site also assist in screening the site when viewed from the access road to the Haven at Horsecraigs.

The fields to the north of the site on the opposite side of Auchentiber Road are more open to view although there are overhead electricity lines/pylons that run in a general north to south direction. These pylons are visually dominant structures in the landscape.



View looking east towards High Matherknock

The site is more open to view from the east when travelling along Auchentiber Road, particularly at the bend in the road at Loganwood House, as the views are across open fields with no topographical screening or woodland screening. The existing electricity pylons are in the background when the site is viewed from this direction. Further in the distance are the wind turbines at the Inverclyde wind farm at Corlic Hill. The pylons and turbines break the skyline when viewed from this direction.

There will be a change in the landscape character because of the proposed development. The magnitude of change on the landscape character will be at its greatest near the site particularly during the construction phase and until the proposed landscape buffer becomes established/matures. This magnitude of change in landscape character is not unusual for a construction project such as this.

The structures of greater vertical scale (9m) within the development will have the greatest visual impact and will present a similar visual impact to elements of the Devol Moor Sub-Station.

There is a limited number of buildings in the surrounding countryside and their positions combined with the intervening topographical screening and existing wooded areas assist in lessening the visual impact. The proposed buffer landscape planting will also lessen the visual impact as the planting matures.

In considering the visual impact, the site is relatively low lying at around 145m AOD. The proposal to cut and fill to achieve a level site will also require a retaining wall. The maximum structure height is 9m, which is not considered an excessive scale however will have degree of prominence compared to some local structures and buildings. Mitigation suggested by the applicant includes retaining planting where achievable, and further planting to provide additional screening to ensure a continuation and enhancement of the existing screening.

The visualisations include mitigation provided by proposed planting which includes meadow and native woodland planting. A reasonable degree of maturity can be expected by year 5 however comprehensive maturity is not likely until year 15. The adjacent consented Auchentiber site has relevance as the visualisations for the proposed High Matherknock site include the consented Auchentiber site for cumulative assessment purposes. Screening for the proposed site relies partially on landscaping mitigation under the control of the Auchentiber consented development. The Auchentiber consent specifies a full growth maturity of 15 years. The expectation therefore is that some growth potential will occur years 1 - 5 however the full extent of landscaping mitigation will not be provided until year 15. The proposed landscape buffer as it becomes established/matures will also be viewed in the context of the wooded areas adjacent to the site and would generally be viewed as a continuation of the existing wooded areas.

Many of the effects of the proposed development are localised, and the more prominent views are generally near the site. Some of the components of the development such as the containers are structures which are utilised within agricultural settings and would not be entirely incongruous within a semi-rural area, although rarely experienced on this scale. The adjacent residential properties in the study area would have a view of the development, although topography and screening would mitigate those impacts.

There is a significant visual impact from sections of the core path 37B. This is not entirely transient in nature however equally, does not impact the entirety of the route. Users of the core path will experience prominent views for around 800-1000m of the route. These short to medium distance views largely disappear at points closer to Port Glasgow. Views from the west (Mathernock and Cauldside) are prominent and include combined views with transmission lines, the three operational Priestside/Mathernock turbines and the Inverclyde wind farm. Mitigation of views at these locations rely significantly on planting that will mature around 5-15 years. However, the Cauldside property also has local tree cover and vegetation around the property perimeter to further mitigate effects.

Views travelling west to east on Auchentiber Road also rely on the mitigating effects of proposed landscaping and planting. Furthermore, the proposed Mathernock site will partially rely on implementation of landscaping specified in the Auchentiber BESS consent. The proposed development is therefore not considered to have a wider or significant visual impact. It is considered that the proposed landscape buffer is necessary as mitigation to assist in screening views of the site/development immediately adjacent to the site on Auchentiber Road. Although the visual impact of the proposal is localised, without the proposed landscape buffer the visual impact of the development would be locally significant and uncompromising. It should be noted that the maturity period for the planting is substantive enough that the development will be relatively prominent from some viewpoints for several years.

The visual impact of the proposed development is acceptable. Some longer distance views of the development are possible, however the development would appear as a minor-moderate component of the wider landscape. At distance, the horizontal and vertical scale of the development would not

appear visually overbearing. Although visible, the development would not be a primary, isolated focus for the viewer, and would reside within a landscape with different and varying focal points.

NPF4 states that landscape and visual impacts are to be expected as a result of renewables development. Therefore, a degree of tolerance to such impacts should be applied to any proposals for renewable energy. Should Section 36 consent be granted the installation and maintenance of acoustic fencing will have a secondary purpose of providing further screening of the development.



View looking west towards Inverclyde Wind Farm

The proposed development does not break skylines and is far enough away from the Muirshiel Regional Park to not have a significant visual impact on the park.

It is considered that the visual impact of the proposal, when combined with the proposed landscape buffer is acceptable in order to accord with Policy 8 of the National Planning Framework 4 and Policy 14 of the adopted Local Development Plan as well as Policy 15 of the proposed Local Development Plan.

Cumulative Impacts

The Rugged Upland Farmland landscape character designation is semi-rural in nature and incorporates individual residential properties, farm holdings and agricultural business premises. The composition of the area has developed over time to include electricity infrastructure (substation and transmission lines) and an operational wind farm (Inverclyde).

The landscape character is described as being host to reservoirs, pastoral farming, frequent tree cover, defensive mottes and hillforts and small settlements or individual farmsteads. Areas relatively close to urban fringes (the proposed development is 2km from Port Glasgow and 2.7km from

Kilmacolm) often incorporate a variety of secondary land uses, including electricity infrastructure, waste recycling or wastewater management, which are often located close to the boundaries of settlements for operational reasons.

However, in assessing cumulative landscape impact, several factors require to be considered. A cumulative landscape impact can either be a cumulative impact on the physical fabric (i.e. two or more developments affecting key landscape components) or two or more features in the landscape changing the landscape character to such an extent that a different landscape character emerges.

Areas of urban fringe have become associated with some level of industrialisation, particularly electricity distribution and management and waste recycling installations. More recent developments have included renewable developments, such as wind turbines and increasingly battery energy storage and gasification plant. Although there are technical requirements for proximity to associated infrastructure, this requirement must be balanced against the impacts on landscape character.

NPF4 Policy 11 states: *“significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable;”*

However, the key test of whether the impacts are generally localised and acceptable relates to whether the cumulative impacts from two developments (consented Auchentiber and the proposed High Mathernock BESS) result in this type of industrial development being a recognised and consistent feature of the landscape, or that such developments result in a fragmentation of the landscape. An assessment should also be made of whether the cumulative developments are a visual distraction from the landscape, or a distraction from key features of the landscape.

The local and intermediate landscape has evolved to include significant industrial features such as the electricity substation, electricity transmission lines, the operational Inverclyde wind farm (1.8km north west of the High Mathernock BESS) and single turbines (in particular the two operational turbines at Priestside and single operational turbine at High Mathernock; all 76m in height at distances of 500m to 750m from the proposed BESS site).

BESS developments have a limited vertical scale (in the case of the consented and proposed developments the maximum structure height is 12m), however the land take associated with the combined Auchentiber and High Mathernock developments extends to 24.87ha. This is a considerable change to the composition of land use. Although recent developments have introduced an industrial element to the landscape, the long-established profile of the LCT (Rugged Upland Farmland) has remained predominantly (however not exclusively) agricultural with small settlements and individual dwellings alongside rural businesses.

The cumulative landscape effect of two BESS developments with a combined development area of 24.87Ha exceeds what would be considered a definition of generally acceptable. The immediate area (approximately contained by the B788 to the south and west, the southern periphery of Port Glasgow at Devol Road to the north and Blacksholm Road to the east) is significantly adversely impacted as the local landscape would be characterised by industrial development that is a consistent and recognised feature. The proposed development is also considered to have a cumulative landscape impact in association with the operational turbines at High Mathernock and Priestside, the operational wind farm (Inverclyde) and electricity transmission lines.

The cumulative landscape impact extends beyond a local impact to an impact on intermediate landscape. The operational wind farm, single 67m turbines and transmission lines are present in a number of combined views with the consented and proposed BESS developments. It is considered that the cumulative developments are a visual distraction from the landscape itself, and that there is a notable change to the visual character of the landscape as perceived from a distance. The extent of the combined developments is considered to have an impact over a larger geographical area than would normally be considered entirely local.

The combined effect of the BESS, electricity infrastructure and other renewable developments fragments the rural nature of the landscape, and the local and intermediate landscape is altered to a degree considered to constitute a negative change to the landscape character.

Ecology and Habitats

There are no nature heritage designations that affect the application site. There is a Local Nature Conservation Site (Devon Road Upland) across Auchentiber Road and to the north of the site that relates to a mosaic of wet heathland and acid grass with local areas of dry heath, bracken and gorse scrub. As the application site is used for grazing, it is considered to have limited ecological value. Any habitats are likely to be around the margins of the site where the existing wooded areas and watercourses are located.

The Survey Report submitted with the application indicates otters were found to be active around the site, due to the presence of otter spraints (faeces), the Survey Report concludes that given the level of protection afforded to otters, best practice measures for the construction phase of the development have been recommended. These include pre-construction surveys; interceptor traps; 50m buffers around watercourses (chemical storage); covering of trenches; dispersal of lighting and machinery, avoidance of dawn/dusk working practices.

The Survey Report indicates a lack of potential roost features for bats (around with a 50m buffer of the site). However, the site does offer suitable conditions for foraging or commuting bats. The potential creation of hedgerows, woodland, grassland and meadow would enhance potential habitats. Suitable mitigation is proposed including surveys, bat boxes, lighting strategies and use of an ECoW.

The Survey Report also indicates no active badger sets were found within 100m of the site, although badgers were thought likely to use the landscape around the site for foraging and/or commuting and concludes no further actions in relation to badgers are needed at this time. Although suitable habitat for water vole is present, no evidence of the species has been discovered.

The proposed landscape buffer also presents the opportunity to create new/additional habitats and in turn to enhance biodiversity in order to accord with Policy 3(a) of National Planning Framework 4.

Impact on the Roads Network

The proposed development is located adjacent to a minor road that has a limited volume of traffic flow. The main impact on the roads network will be during the construction of the development and the submitted Transport Statement indicates that all vehicle trips associated with construction traffic will arrive at and depart from the site using the B788 Auchentiber Road to the west. A Construction Traffic Management Plan (CTMP) is indicated as being prepared. The choice of route is informed by the presence of a bridge and other road restrictions from the west. Decommissioning is likely to be a reversal of the construction phase.

In terms of Policy 10 of the adopted LDP and Policy 11 of the proposed LDP the development is not considered to encourage a significant degree of private vehicle travel out with the construction period. Maintenance and operation of the development will only require one vehicle at any given time. Given the scale and type of development it is not considered that opportunities for walking and cycling would be a primary requirement. Public access to the site will be restricted for safety and operational reasons. Access to the Core Paths (29b and 37b) are not restricted by the development, however, may experience a degree of impact during the construction phase.

The Head of Service - Roads and Transportation has not raised any concerns about the general impact of construction traffic on the local roads network nor when the development is operational. A Traffic Management Plan will be required to be submitted for further written approval.

Transport Scotland have advised that they are satisfied that the proposal has a negligible impact on the A8 trunk roads.

The proposal is therefore considered to be acceptable under Policy 11 e) vi) of National Planning Framework 4 and under Policy 11 of the adopted Local Development Plan as well as Policy 12 of the proposed Local Development Plan.

Core Paths

Although there is a degree of visual and landscape impact from both Core Paths (29b and 37b) to the north and east of the site, this does not automatically result in an unacceptable impact. The section of core path impacted is limited in length and therefore relatively short in effect duration, and the impacts are further mitigated by proposed planting and screening. Views from the core path(s) towards the proposed development will also be influenced by other existing elements of the built environment. A core path is often experienced across substantial parts of the whole route length. Using a core path for recreation will involve a progressive variation in the visual experience of the user. It would be expected to see landscape changes which may involve developments that could be industrial to some extent. This may include electricity infrastructure such as substations and transmission lines.

Regarding access for users of the core paths, operation of the development will only require minor vehicle movements and occasional site access. Construction of the development will require more extensive use of the public road, although this will be limited to the 18-month construction period. It is accepted that some disruption to Core Path 29b is inevitable for a temporary period. This is not a permanent change to the use of the core path and the long-term use is not affected.

On this basis, the core paths are not considered to be unacceptably impacted by the proposed development. No tourism assets at a further distance than the core path are impacted to any notable degree due to both separation distance and the relatively modest scale of the development. The Supplementary Guidance on Energy does not offer specific guidance on development of this type. The Guidance states that renewable energy developments should be removed at the end of their operational life. This advice is primarily directed towards turbine development; however, some weight could be placed on installations such as this that provide supporting infrastructure and energy capacity management.

As such the proposal is considered acceptable under Policy 11 e) iii) of National Planning Framework 4 and under the terms of Policy 38 of the adopted Local Development Plan as well as Policy 36 of the proposed Local Development Plan.

Flood Risk

The Gryffe Water runs along the south boundary of the application site. A further tributary of the Gryffe flows north to south around the periphery of the site. SEPA flood risk mapping does indicate that areas to the southern periphery of the site have a high likelihood of river (fluvial) flooding. A number of drainage channels throughout the site have a high likelihood of small watercourse and surface water flooding, with a significant risk of flooding around the periphery of the site from the tributary watercourse.

A Flood Risk Assessment has been submitted and concludes that the proposal is not at risk of flooding, as the components of the proposed development are to be situated relatively distant from the Gryffe Water.

The Flood Risk Assessment also concludes that the proposed development is not predicted to increase surface water runoff or flooding to the surrounding catchment as the use of a SUDS basin (2400m³ volume attenuation) and permeable access roads and hardstanding are to be implemented.

SEPA have indicated they have no objection to the proposal in their consultation response to the Scottish Ministers. The Head of Service - Roads and Transportation - advises that there are areas of land at risk of fluvial and surface water flooding within the site and suggests that all surface water should be managed within the site. A Flood Risk Assessment and Surface Water Management Plan should be provided.

In summary, there are fluvial and surface water flood risks around the site area. However, the submission indicates that the development area itself is positioned north within the site and generally focused away from the Gryffe watercourse to the south. The applicant has provided a robust assessment of risk and mitigation measures such as permeable surfaces and provisions of an attenuation pond will provide a further reduction in flood risk. The topography of the site is favorable as surface water is not likely to accumulate towards the area of development. It should also be noted that the provision of essential infrastructure (such as renewable energy) in areas of potential flood risk is supported within NPF4.

It is therefore considered that the potential flood risk is acceptable, and the proposal accords with the terms of Policy 22 of National Planning Framework 4 and Policy 8 of the adopted Local Development Plan as well as Policy 9 of the proposed Local Development Plan. The final details of the proposed surface water drainage would need to be submitted for further approval in writing, if consented.

Cultural Assets and Archaeology

There are no scheduled monuments within the application site and the proposed development is within the vicinity of the two scheduled monuments at Pennytersal Farm Motte (1400m east) and High Matherknock Battery 135m southeast of the site.

There is a noted absence of some historic environment assets such as conservation areas, listed buildings and designed gardens and landscapes, none of which are in the vicinity of the proposed development. Duchal House is a Garden and Designed Landscape 4km to the southeast of the site. Clusters of listed buildings are located approximately 3-4 km distant to the north and southeast (Port Glasgow and Kilmacolm respectively). It is considered that the distance from listed buildings and conservation areas is sufficient to ensure that there are no unacceptable impacts on their settings.

As advised in the consultation response from Historic Environment Scotland, the proposed development whilst visible would not break the skyline or impede views from the battery or command post at High Matherknock. It is agreed by Historic Environment Scotland that any impact on the setting of this scheduled monument would not be nationally significant. Further mitigation would be provided by appropriate landscaping, which should screen much of the site from the battery SMR.

An independent Archaeological Assessment was sought by the Council. The report and conclusions largely concurred with the applicant's desk-based assessment and comments of HES (Historic Environment Scotland). Tree planting would screen much of the visual impact from SMR12883. Although unknown buried assets are unlikely, the assessment concluded that a written scheme of investigation, trial trenches and if necessary, fieldwork should be a condition of any subsequent consent.

In summary, the surrounding area is not likely to have accommodated significant human settlement until relatively recently. Buried assets are unlikely and the closest SMR (Mathernock Battery) would not be adversely impacted providing reasonable screening is provided as part of the site development.

The proposed development is not considered to have a significant impact on the setting of the nearby scheduled monuments and is therefore considered to accord with Policy 7 h) of NPF4 and Policy 31 of both the adopted and proposed Inverclyde Local Development Plans.

Noise Impact

A Noise Impact Assessment (complying with BS 4142) has been submitted with the application to quantify the predicted level of noise, upon the closest residential dwellings to the site, from the various mechanical and electrical plant which form part of the development.

The Assessment concludes that the rated level of noise generated by the development falls below the typical daytime background sound level. For the night-time period, the calculated internal noise levels fall below the night-time noise criteria limit for bedrooms and as such, there is no requirement to consider noise mitigation measures.

There is one property with a financial interest in the development (Loganwood). Guidance in this respect indicates that consideration should be given to allowing a higher tolerance of noise impacts on properties that are financially involved in a proposed development. Acoustic fencing is proposed around the development perimeter.

The Council's Public Protection Manger has stated that the operational noise rating level should not exceed 5dB(A) above background noise levels as calculated at residential noise sensitive receptors, and the site should only operate with an acoustic fence/barrier in place. Suitable conditions should be added to any subsequent consent.

The proposal is therefore acceptable in this regard under Policy 11 e) i) of National Planning Framework 4 and under the quality of being "Safe and Pleasant in Policy 1 of both the adopted and proposed Local Development Plans.

Private water supplies

SEPA guidance indicates that most types of development should occur out with 250m from the point of groundwater and surface water abstraction. There are no properties within this distance of the proposed development. It is reasonable to conclude that the threat to private water supplies is low. The nature of the development is such that deep excavations are generally avoided. However, sources and abstraction points for private water supplies are often difficult to identify.

A condition should be added to any consent to require a pre-commencement Water Supply Management Plan to safeguard and maintain satisfactory private water supplies. This should include mitigation and resolution during construction, operation and decommissioning phases and incorporate testing and provision of alternative safe water supplies in the event of contamination.

Air quality

Five main pollutants are at risk of exposure in the event of a combustion event. The applicant has provided an Air Quality Assessment which accounts for a cumulative worst-case scenario (i.e. simultaneous explosion and fire event at the proposed site and the adjacent consented Auchentiber site). Although short term and limited occupational exposure to pollutants is possible, no significant health impacts are expected. A Fire Action Plan is also included, which assesses a maximum risk scenario, and which accounts for wind drift. Fire risk from BESS itself is not a material planning consideration, however, impacts on air quality are relevant to Policy 23 of NPF4, Policies 4(d) and 12 of both the adopted Local Development Plan and Policies 4(d) and 13 of the proposed Local Development Plan.

Air quality monitoring will be undertaken in the event of any incident which may impact air quality. A Mitigation Plan may subsequently be required.

The proposed development is not considered to have a significant impact on air quality (subject to conditions) and is therefore considered to accord with Policy 23 of NPF4, Policy 4 of both the adopted and proposed Inverclyde Local Development Plans and Policies 12 and 13 of the adopted and proposed Local Development Plans respectively.

Site Decommissioning and Restoration

Policy 11 e) of National Planning Framework 4 requires demonstration of how impacts are to be addressed including proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration.

The applicant has indicated that the intended lifetime of the proposal is 40 years after which the facility will be decommissioned and the land restored to its former state.

The applicant has provided limited information other than to state that decommissioning would comply with all relevant legislation at the time and the Planning Authority would be contacted prior to any commencement.

Notwithstanding, given the type of development, its size and location, it is considered that decommissioning and site restoration is necessary at the end of the lifetime of the development. It is considered that a planning condition is necessary on any permission the Scottish Ministers may grant to address decommissioning and restoration of the site including the requirement for a financial bond to ensure sufficient funds are available to de-commission and restore the site. If the developer was to go out of business with unfinished works potentially being left this can be safeguarded by ensuring that a bond or other financial provision is put in place to cover such an eventuality. The bond or other financial provision would address reinstatement works both in the event of a developer failing or being unable to complete restoration works together with any failure in the aftercare arrangements associated with the site restoration.

If the development fails to export electricity to the grid for a continuous period of 12 months, it will be considered to have become redundant and the components of the development removed, and the site restored. It is considered necessary for this to be addressed by planning condition.

Overall Conclusion

It is acknowledged that the development is to be in the Green Belt and the site is relatively substantial in scale. The proposal represents a degree of change at this location, however this must be balanced against development of this type being required to store and distribute renewable energy produced to contribute towards the net zero targets. It should be noted that the site is not an entirely remote rural location and there are other forms of industrial infrastructure and energy development in the surrounding landscape. The wind farm at Corlic Hill and the electricity pylons are the visually dominant structures in the surrounding landscape. The proposed site is 1.7km from the Devol Moor sub-station and 1.8km from the wind farm and within a reasonable distance of Port Glasgow, therefore the requirement for the site to be accessible would be met.

The proposal will support the resilience of the electricity network and contribute to sustainable development, providing for greater and more efficient use of renewable energy generation in the electricity system, and in this regard, it will contribute to greenhouse gas emission reduction targets. Although there are significant benefits that the proposal will bring in terms of net economic benefit and contributing to energy storage, the established character of the LCT (Rugged Upland Farmland) has remained largely agricultural with minor settlements and is generally sparsely populated.

The cumulative landscape impact is considered unacceptable. The local landscape would be altered to an extent that industrial development (including renewable energy and electricity transmission infrastructure) would be a consistent and recognised feature. The proposed development would have an unacceptable cumulative landscape impact in association with the operational turbines at High Mathernock and Priestside, Inverclyde wind farm and electricity transmission lines. The cumulative landscape impact extends beyond a local impact to an impact on intermediate landscape. Cumulative landscape impacts are such that a visual distraction from the landscape itself is notable.

The combined effect of the BESS, electricity infrastructure and other renewable developments fragments the rural nature of the landscape, whereby the local and intermediate landscape would be altered to a degree which constitutes an unacceptable alteration to the character of the landscape.

Overall, the benefits of the proposed development are not considered to outweigh the adverse impacts. The proposal is therefore considered to be unacceptable when assessed against the relevant policies of National Planning Framework 4, the adopted Inverclyde Local Development Plan as well as the proposed Inverclyde Local Development Plan.

RECOMMENDATION

It is recommended that the response to the Scottish Ministers is that Inverclyde Council object to the proposed development for the following reasons:

1. The proposed battery energy storage system (BESS) fails to accord with Policy 11 (e) (ii) of NPF4 as the cumulative landscape impact is incompatible with the established landscape character. The proposal also fails to comply with Policy 14 of NPF4 as the development undermines the interpretation of local landscape due to negative cumulative landscape impact.
2. The proposed battery energy storage system (BESS) fails to accord with Policies 1 and 4 of both the adopted and proposed Local Development Plan due to adverse impacts on local landscape character and setting, and the green network. The proposal also fails to comply with Policy 34 of the proposed Local Development Plan as the proposal fails to conserve, enhance or restore landscape character and distinctiveness.

Neale McIlvanney
Interim Director -
Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information, please contact Colin Lamond on 01475 712422