

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Draft index of applications under the above acts continued from the Extended Planning Applications Committee dated 24th August 2022 to be considered by the Extended Planning Applications Committee dated 20th September 2022 following a site visit.

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**Reference No:** 2021/0298/TP

**Ward:** 1

**Applicant:**

Caldwell Developments Ltd  
66 Townhead  
Kirkintilloch  
Glasgow  
G66 1NZ

**Agent:**

Stuart Salter  
Geddes Consulting  
Quadrant  
17 Bernard Street  
Edinburgh  
UK  
EH6 6PW

**Site:** Caldwell House, Caldwell Estate, Gleniffer Road, Uplawmoor, East Renfrewshire, G78 4BE

**Description:** Restoration, alteration and conversion of Caldwell House to form assisted living flats and ancillary facilities (class 8), restoration and alteration of Former Keeper's House to form dwelling (class 9), construction of care home (class 8), construction of new build assisted living flats (class 8) and dwellings (class 9), selective demolitions of existing buildings, and associated landscaping, infrastructure and engineering works, including upgrade of existing site access, roads and path network.

Please click [here](#) for further information on this application

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**Reference No:** 2021/0334/LBC

**Ward:** 1

**Applicant:**

Caldwell Developments Ltd  
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Kirkintilloch  
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G66 1NZ

**Agent:**

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# REPORT OF HANDLING

Reference: 2021/0298/TP

Date Registered: 13th May 2021

Application Type: Full Planning Permission

This application is a Major Development

Ward: 1 -Barrhead, Liboside And Uplawmoor

Co-ordinates: 241482/:654185

Applicant/Agent:

Applicant:  
Caldwell Developments Ltd  
66 Townhead  
Kirkintilloch  
Glasgow  
United Kingdom  
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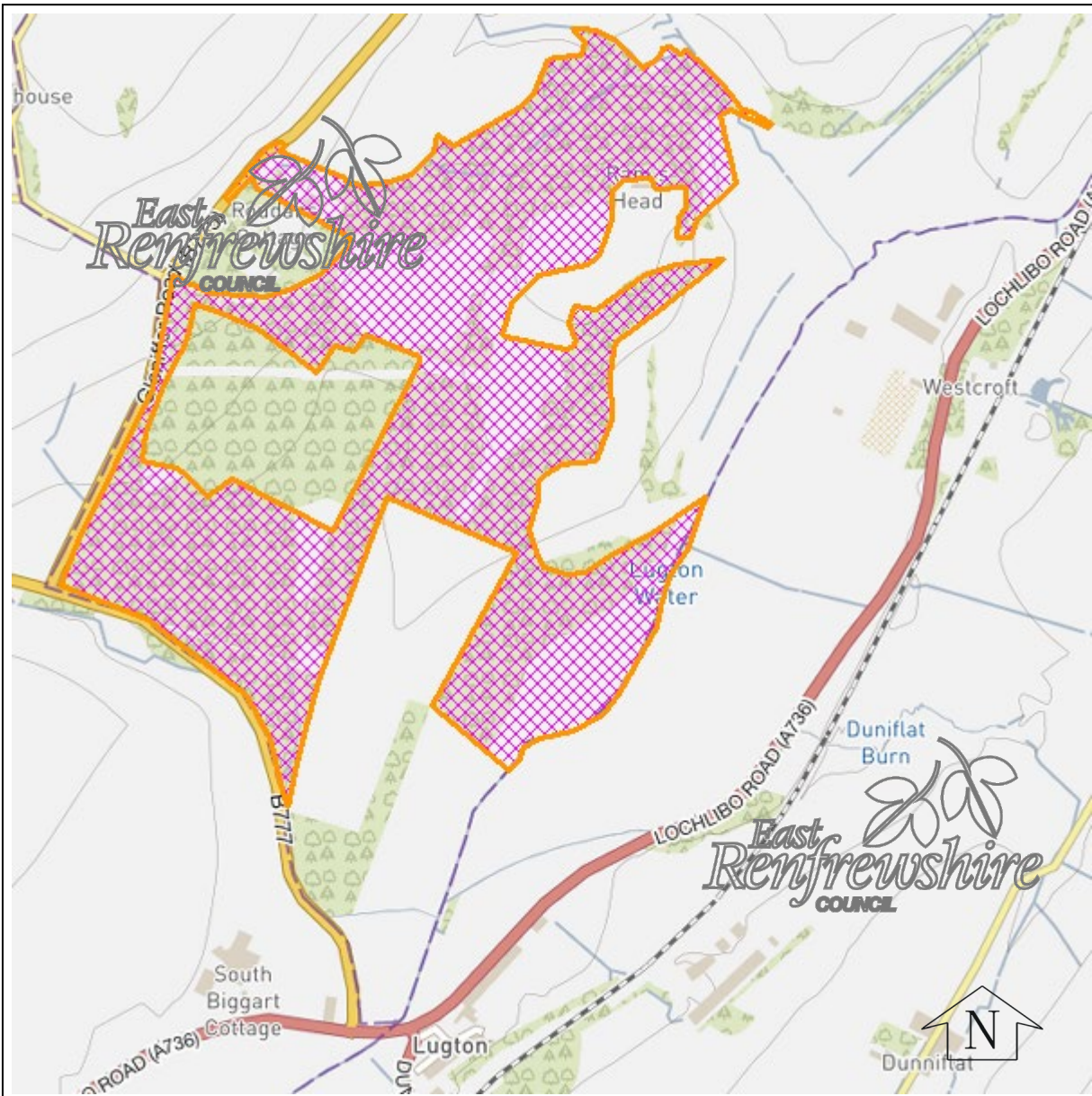
Proposal:

Restoration, alteration and conversion of Caldwell House to form assisted living flats and ancillary facilities (class 8), restoration and alteration of Former Keeper's House to form dwelling (class 9), construction of care home (class 8), construction of new build assisted living flats (class 8) and dwellings (class 9), selective demolitions of existing buildings, and associated landscaping, infrastructure and engineering works, including upgrade of existing site access, roads and path network.

Location:

Caldwell House  
Caldwell Estate  
Gleniffer Road  
Uplawmoor  
East Renfrewshire  
G78 4BE

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**CONSULTATIONS/COMMENTS:**

East Renfrewshire Council Roads Service

No objection, subject to conditions and advisory notes. Comments provided on the level of adoption and recommended minor alterations to the layout.

East Renfrewshire Council Environmental Health Service

No objections, subject to conditions requiring further site investigation work, restrictions on construction hours, waste activities and private water supply access.

West Of Scotland Archaeology Service

No comments received.

Strategic Planning ; Principal Strategy Officer  
(Affordable Housing and Development Contributions)

No objection subject to conditions and the conclusion of a Legal Agreement.

East Renfrewshire Health and Social Care Partnership

Support many of the aspirations for the development in relation to assisted living and supported accommodation including the principle of staged levels of support for individuals in later periods of life. We also note and support the high provision of accessible accommodation in the planned development.

However, we have outstanding concerns around the addition of unfunded costs for health and social care provision resulting from such a large development. We are concerned that in-migration to the local authority would be an important factor as a result of the development and that ongoing cost pressures for health and care services would increase. We would seek reassurance on the level of health provision supported directly by the provider and further detail on support to meet primary care requirements for the population at the new village.

We are concerned about further development of residential care accommodation at this time given persistently high vacancy rates at existing care home facilities; and the potential consequences for vulnerable residents of instability in the local care home market in East Renfrewshire. Care home vacancies have remained persistently high and were exacerbated at the height of the Covid pandemic. The picture for future demand post-Covid remains uncertain and we do not believe that the developer has clearly evidenced need within the context of the East Renfrewshire market.

Scottish Environment Protection Agency (SEPA)

No objections following submission of additional information by the applicant.

East Ayrshire Council	No objections
Scottish Water	No objections. Confirmation provided that the nearest public water main is approximately 800m away and that there is no public Scottish Water, waste water infrastructure within the vicinity, therefore private treatment options should be investigated by the applicant.
Glasgow Airport	No objections
Glasgow Prestwick Airport	No objections
NERL Safeguarding	No objections
Coal Authority (Planning And Local Authority Liaison)	No objections, subject to conditions
Scottish Forestry	Scottish Forestry are not supportive of the planning application as presented as it requires 5.1 hectares of Native Woodland and Ancient Woodland deforestation, a valued biodiversity habitat that cannot be replaced with 15 years, as noted with EIA Volume 3 Annex 4.
NatureScot (Formerly SNH)	Advise that it is unlikely that the proposal will have a significant impact on any legally protected species sites either directly or indirectly.
North Ayrshire Council	No objections
Transport Scotland	No objections
Strathclyde Partnership for Transport	<p>As noted in the TA, the travel demands for this type of development are likely to be different from a standard residential development, however residents will still require to travel beyond the village to access services such as healthcare, potentially employment, and to participate in wider, social, leisure and civic activities. If minded to grant, conditions to cover the following matters are recommended:</p> <ul style="list-style-type: none"> <li>• Provision and continued operation of community facilities</li> <li>• Temporary arrangements for the provision of community facilities prior to full restoration of Caldwell House</li> <li>• Provision of a bus service to be operational on the occupation of the first phase of development</li> </ul>



- Provision of parking for non standard cycles
- Car and bike share opportunities
- Residential and commercial travel plans

In addition, restriction on occupancy and the requirement for public transport should be required through a legal agreement.

Health and Safety Executive

Confirmation that there was no requirement to consult HSE.

Woodlands Trust

The trust strongly objects on the basis of damage and loss to a number of areas of woodland designation on the Ancient Woodland Inventory. In particular, concern over:

- Direct loss of 4.7ha to facilitate the development
- Intensification of recreational activity and pets leading to damage
- Fragmentation of habitats
- Noise, light and dust pollution
- Conflict with public areas, leading to further felling
- Adverse hydrological issues from new hard standing areas
- No veteran trees should be felled.

Whilst the Woodland Trust generally supports the active management of ancient woodland, management should be undertaken for the benefit of biodiversity and not as a condition of development which will result in direct loss.

Central Scotland Bat Group

No comments provided.

Historic Environment Scotland (HES)

HES welcome and support this proposal to repair and convert Caldwell House and to reinstate Robert Adam's original design as far as possible. We accept that there would be detrimental impacts on its parkland setting, but our view is that securing the long-term preservation of the house through re-use outweighs these impacts. The proposed enabling development would have a detrimental impact on the setting of Caldwell House because it would urbanise the character of a significant portion of its parkland. However, immediate views to and from the house would be outweighed by the heritage benefit of restoring the house. Further

comment is also provided by HES on the proposed materials of buildings, landscaping issues and the detailed assessment with the supporting EIA.

#### **PUBLICITY:**

25.06.2021                      Barrhead News                      Expiry date 23.07.2021

25.06.2021                      Edinburgh Gazette                      Expiry date 23.07.2021

#### **SITE NOTICES:**

Setting of Listed Building                      Date posted 25.06.2021                      Expiry date 16.07.2021

#### **SITE HISTORY:**

2007/0143/TP                      Change of use from derelict nursing home to dwellinghouse                      Approved Subject to Conditions                      12.09.2007

2007/0405/TP                      Removal of roof (in retrospect) re-instatement of roof and demolition of existing laundry, garage and toilet block extensions                      Approved Subject to Conditions                      13.02.2008

2007/0008/LB                      Removal of roof (in retrospect) re-instatement of roof, demolish existing laundry, garage and toilet block extensions                      Approved Subject to Conditions                      19.03.2008

**REPRESENTATIONS:** A single representation has been received from residents of Roudans Cottage, at the entrance to Caldwell Estate.

1. Concerns over the scale of the proposal. The site is in the greenbelt and Council documents have recognised the need for limited development to support the restoration of Caldwell House. Although limited was never defined and we appreciate that 20 houses may not generate the required restoration deficit, the current proposal cannot be considered as limited in its greenbelt context.
2. Although claimed to be a significant example of Robert Adam's work, it rarely features in biographies and listings of his work and it appears that it was never completed to his original designs. Therefore it seems the proposal is based on the restoration of Caldwell House to a state that it never was, using it as a level to flout greenbelt policy and local development plan policy.
3. Concerns over whether Caldwell House will be restored as part of the project. We understand it will be phased over several years with dwellings being sold and occupied before the completion of the restoration of Caldwell House. As the restoration is the least profitable part of the process, what guarantees and safeguards can the developer offer in this respect in case he gets into financial difficulties and cannot complete the restoration?
4. In Local Development Plan 2 there is an emphasis on sustainability. In particular policy SG3 states that proposals for Specialist Residential and Supported Accommodation should be located within the urban area and be accessible to active travel and public transport networks and other services and facilities. This proposal fails to meet this policy as it is not near and active travel network and there is no public transport within easy

walking distance. The aim of LDP2 is to locate development of sites which can be accessed sustainably. Although a shop has been discussed, this is unlikely to provide the range of goods and services required and many residents would need to travel by car for groceries and other necessities. We note that the developers propose a private (free of charge) bus service. This has been costed at £350 a day and we question how long this service would last.

5. Concerns over construction impacts and the construction management plan. No details is provided on access, water supply, sewage supply and nuisance.
6. The owner of Caldwell Estate has an obligation to provide us with water supply and sewage services. There are concerns that the only information is that the developer will take advice from Scottish Water. The network in the estate is private and there are no details of how the water supply will be upgraded.
7. The main entrance to the estate for the past 100 years has been from B775 Gleniffer Road and not the East Lodge track, which is proposed to be enhanced as the main entrance/setting for Caldwell House. The view of the oval space (which is to be largely developed) gives the estate its character and should not be built on.
8. There is a lack of facilities for socialising and exercise. A community hub should be proposed and structured exercise facilities such as a bowling green or tennis courts.
9. Concerns about flood risk especially at development zone 3 as it is permanently flooded. The oval is a drainage basin and floods frequently. We believe there would be benefit in creating a semi-wild water feature in this area.

Despite these concerns, we do see some benefits of the development. The estate has been neglected as is subject to vandalism and fly tipping. The entrance would make existing much safer and we note the entrance to zone 1 has been staggered, as requested.

#### **DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:**

The relevant policy documents can be found at the following links:

Scottish Planning Policy –

<https://www.gov.scot/publications/scottish-planning-policy/documents/>

The Glasgow and Clyde Valley Strategic Development Plan –

<https://www.clydeplan-sdpa.gov.uk/strategic-development-plan/current-plan/current-strategic-development-plan-july-2017>

Local Development Plan2 –

<https://www.eastrenfrewshire.gov.uk/ldp2>

#### **SUPPORTING REPORTS:**

Environmental Impact Assessment	The report and supporting information sets out and assesses the impacts associated with the development. The main sections cover: woodland management and tree felling; landscape and visual impact; ecology; cultural heritage; hydrology, groundwater and drainage; traffic and transportation, noise, ground conditions and construction impacts.
Transport Assessment	Examines the accessibility of the application site by a range of travel modes and establishes the development impact on the existing road network.
Conservation Plan	Provides a comprehensive assessment of the historic and architectural significance of Caldwell House and surrounding features. Recommendations on the approach to ensure the building is retained are provided.

Structural Survey Report	Appraises the current structural condition of Caldwell House, Keepers House and other buildings and examines what potential there would be for rehabilitation.
Energy Statement	The report addresses the requirements of sections 6 and 7 of Building Standards regulations and Local Development Plan policies and guidance.
Planning Need Assessment	The assessment relates to the care home and care apartments (assisted living units) and is a need assessment of the site based on a market catchment area for the proposed care home and extra care elements.
Masterplan Report	This report explains the masterplanning approach adopted to provide the enabling development identified by the applicant to secure the future of Caldwell House, Keeper's House and the surrounding estate.
Greenbelt Appraisal	The purpose of this appraisal is to consider the impact of the proposal against the objectives of the green belt, as set out in national and local planning policies. Impacts are categorised by their significance, taking into account any mitigation proposed.
Design and Access Statement	The document explains the background to the proposals and sets out in detail the design response and associated justification.
Planning Statement	The document explains the background to the proposals and sets out in detail the design response and associated justification. This includes an assessment against the relevant national and local policies and guidance.
Pre application Consultation Report	This report details the pre application consultation undertaken by the applicant. This includes details of the two online public events, consultation with community councils and neighbours and explains the comments received and any response from the applicant.

## **ASSESSMENT:**

This is a Major development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Given the nature and scale of the proposed development it was concluded that an Environmental Impact Assessment was required from the applicant under Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017. Consequently, the applicant submitted an Environmental Statement along with and in support of their application. The application is also deemed to be significantly contrary to the development plan and therefore a pre determination hearing is required.

### Site Description

The site lies within open countryside, approximately 1km to the southwest of Uplawmoor. Caldwell House is a Grade A Listed Building, designed by Robert Adam (constructed in the 1770s) and the application site relates primarily to the estate surrounding this derelict country house. The site also contains a Grade B Listed Building (Keeper's House). The site is located immediately to the north of the B777 road and east of B775 Gleniffer Road, where the site access is located. The site is bounded to the south by the B777, to the west by Gleniffer Road, to the east by Lugton Water and a golf course beyond, and to the north by the Cross Burn. The application site boundary extends to 63.96 hectares. The site is heavily wooded, with a mixture of conifer plantations and deciduous tree groupings. Parts of the site are designated as having ancient woodland status. At present, there is a central area of open land, without trees, which contains the B listed Keeper's House on the southern part of the site. Caldwell House is found to the eastern side of the application site, separated visually by the sloping topography and mature trees. There is a tarmacked, single width road network through the site, which forms a loop around either side of the central open space and connects to Caldwell House and other peripheral locations within the site. Caldwell House is

currently in a derelict state with no roof, windows or internal fixtures and is included on the Buildings at Risk Register for Scotland, maintained by Historic Environment Scotland. It is categorised as being at High Category of Risk. Keeper's House is in a similar condition to Caldwell House.

There are 2 adjoining neighbours to the site, which are Roudans Cottage to the immediate south of the main access at the western edge of the site and Ram's Head Cottage to the north east of the site. It is understood that both neighbouring properties benefit from a right of access to their properties through the site.

### Proposed development

The proposed area of built development for the Caldwell Village proposal is 9.8 hectares, with substantial areas of open space and tree planting forming the rest of the application site. The proposal includes the following elements:

- restoration, alteration and conversion of Caldwell House to form 15 assisted living flats and ancillary facilities (office, meeting room, café, shop, hair and beauty salon, and clinic) (class 8) - the works include removal of existing render, re-pointing and repairs to stonework, new roof, new windows, new lime render to all facades, new/repared chimney stacks, selective demolition (including all additions to Caldwell House such as the porch, boiler house and adjacent laundry building, with chimney), and internal fit-out with modern construction techniques.
- restoration of Former Keeper's House to form a single dwelling (class 9) - the works include repairs to stonework, new roof, new windows, new lime render to all facades, new chimney pots, and internal fit out with modern construction techniques.
- repair and restoration of other historic features in the designed landscape.
- construction of new two-storey 60-bed care home with all rooms suitable for residents with dementia (class 8).
- construction of 51 new-build assisted living flats in two three-storey blocks (class 8).
- construction of 122 bungalows (class 9).
- demolitions of existing unlisted buildings, comprising former offices and stable block in the western part of the site.
- upgrading of the site access with formation of a new roundabout on Gleniffer Road (B775) and construction of stone wall entrance feature.
- upgrading of the road network within the site.
- upgrading of the path network within the wider estate and provision of new paths, plus installation of outdoor exercise equipment.
- associated infrastructure and engineering works, including Sustainable Drainage Systems (SuDS) measures and a private package treatment plant for foul drainage.
- landscaping works and woodland management, including tree felling and re-planting along with compensatory planting (including 2 hectares off site).
- temporary access arrangements for construction traffic and the extraction of felled timber.

The applicant has advised that all residents within the assisted living flats and bungalows will be 55 years of age or over. As part of the retirement village concept, continuous care will be available on site, including a care home for people with dementia, if required. The applicant has advised that the 55 age restriction will be enforced through a deed of conditions and can also be addressed through a section 75 legal agreement.

The applicant has advised that the development will be split into 5 phases following the initial establishment of the main access roundabout, access road to the first junction, haul road, site compound and drainage routes. The subsequent 5 phases are proposed as follows:

#### Phase 1

- Provision of 37 bungalows
- Caldwell House made structurally safe with demolition of latter additions and the remaining building stabilised
- Full conservation works and completion of Keeper's House

#### Phase 2

- Provision of 43 bungalows
- Restoration works to Caldwell House to make the building wind and watertight

Phase 3

- Provision of 60 bed care home
- Provision of 31 assisted living flats
- Provision of 7 bungalows
- Caldwell House will undergo a 12 month drying out period to allow internal works to commence.

Phase 4

- Provision of 35 assisted living flats
- Provision of 14 bungalows
- Internal fit out of Caldwell House. This includes the delivery of 15 assisted living flats along with community facilities on ground floor.

Phase 5

- Provision of 12 bungalows

Phasing details on the woodland management proposals have also been provided. In summary, this primarily entails felling of all woodland and replanting outside development sites in year 1 and subsequent planting and maintenance with all planting complete by the end of year 5. Years 6 to 10 will then be maintenance and safety checks.

A listed building application (2021/0334/LBC) accompanies this planning application.

Planning Policy background

The application has to be determined in accordance with the Development Plan and any material planning considerations. The Development Plan consists of the Strategic Development Plan (approved July 2017) and the East Renfrewshire Local Development Plan2 (adopted March 2022).

*Scottish Planning Policy*

Scottish Planning Policy (SPP) introduces a presumption in favour of development that contributes to sustainable development. It also indicates that the planning system should support economically, environmentally and socially sustainable places. SPP on Delivery of New Homes indicates proposals should provide for all tenures, provide a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places and have a sharp focus on the delivery of allocated sites embedded in action programmes. Decisions should be guided by key principles including giving due weight to net economic benefit; improving health and well-being; having regard to the principles for sustainable land use; and protecting, enhancing and promoting access to cultural heritage, including the historic environment and natural heritage.

In terms of Placemaking, SPP indicates that planning's purpose is to create better places through a design-led approach, with planning supporting development that is designed to a high-quality and which demonstrates the six qualities of successful place: distinctive; safe and pleasant; welcoming; adaptive; resource efficient; and easy to move around.

In terms of promoting rural development, SPP encourages rural development that supports prosperous and sustainable communities and businesses while protecting and enhancing environmental quality. In the pressurised areas accessible from Scotland's cities and main towns, where ongoing pressures are likely to continue, it is important to protect against an unsustainable growth in car based commuting and the suburbanisation of the countryside.

In respect of valuing the historic environments, SPP states that enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

With reference to woodland, SPP states that ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees should be protected from adverse impacts resulting from development. The Scottish Government's Control of Woodland Removal Policy includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting.

The draft National Planning Framework 4 (NPF4) will incorporate Scottish Planning Policy and set out the long term plan for what Scotland could be in 2045. This document, when finalised, will set out a national spatial strategy to include policies to achieve a target of net zero emissions by 2045 and strategies on how to make Scotland a more sustainable place.

*The Glasgow and Clyde Valley Strategic Development Plan (approved July 2017)*

The Strategic Development Plan (SDP) sets out the vision for the Glasgow City Region which is for a compact region based upon centres, economy, low carbon infrastructure, place making and regeneration. In terms of placemaking, the document supports a distinctive city region which safeguards and promotes significant environmental, historic and cultural assets. Safe and pleasant places are also supported, i.e. development in locations which are aligned to the Spatial Development Strategy with consideration given to place before vehicle movement. The compact city model means that priority is given to brownfield locations supporting low energy consumption and higher residential density within a mixed land use context. High quality and convenient public transport integrated with land use and development is supported, with development concentrated along transport corridors in close proximity to public transport stops.

Policy 4 identifies a network of strategic centres which should be protected and enhanced. In this regard, Barrhead is the closest strategic centre to the site.

Policy 9 (Housing - Affordable and Specialist Provision) states that authorities should ensure that any affordable housing, specialist housing and development contributions policies are applied in a manner that enable the delivery of housing developments.

Policy 13 states that development proposals should, where appropriate, minimise the loss of existing trees and include, where appropriate, the planting of new trees, woodlands and forestry in support of the Scottish Government's Control of Woodland Removal Policy.

The proposed development is considered to be a strategic scale development under Schedule 14 of the SDP as the proposal is for greenfield housing of 10 units or more outwith the Community Growth Areas or sites outwith those identified in LDPs. Policy 14 (Green Belt) applies in this regard. An assessment in line with the guidance contained in the SDP is set out in the assessment section below.

*East Renfrewshire Local Development Plan2 (Adopted March 2022)*

In land use terms, the application site lies within the green belt where Policy D3 (Green Belt and Countryside around Towns) applies. This policy states that development in the green belt will be strictly controlled and limited to that which is required and is appropriate for a rural location. Proposals will require to demonstrate that they are appropriate in terms of scale, size, design, layout and materials to their rural location and are compatible with adjoining and neighbouring uses. Parts of the site are designated as local biodiversity sites where policy D7: Natural Environment Features applies. This policy states that there will be a strong presumption against development on or adjacent to natural features where it would compromise their overall integrity, including local biodiversity sites and ancient and long established woodland sites.

An analysis against the above policies is contained in the assessment section below. In addition, there are a number of other policies of relevance to the assessment. These are considered to be Strategic Policies 1, 2 and 3, D1, D6, D7, D8, D9, D10, D11, D14, D15, SG1, SG2, SG3, SG4, SG5, SG7, SG9, E1, E3, E5, E6, E7, E8 and E9. An assessment against these policies is set out below.

## Assessment of proposals

### *Introduction*

The most significant factor in the assessment of this application is considered to be the Grade A Listed Building that is proposed to be restored, through an enabling development. Enabling development is a specific type of development in planning terms, whereby an applicant can seek to demonstrate that in order to save or restore an important asset (normally a listed building), a certain amount of development is required to fund the required restoration works. This can make an otherwise unacceptable form of development acceptable in planning terms, if it can be demonstrated to the satisfaction of the planning authority that the proposed development is the only means necessary and minimum required to conserve a listed building. Other planning issues, i.e. other relevant policies and material considerations still form part of the assessment and the weight to be placed on these factors is at the discretion of the planning authority. For this reason, this assessment sets out the enabling development argument first, as the primary consideration, and the other factors to be considered are then set out and assessed, with the concluding section pulling together the arguments to reach a recommendation.

### *Enabling development*

In terms of the background to the current condition of Caldwell House, it should be noted that the building was used as a children's home up to 1985 and subsequently a nursing home before being sold. A major fire in 1995 resulted in significant damage and since then the condition of the building has substantially deteriorated. In 2002, the Council served a repairs Notice under section 43(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. This specified a series of works to be undertaken for the preservation of the listed building. No physical repair works were subsequently undertaken and in light of further deterioration, the Council agreed to promote a compulsory purchase order in 2003. As the Council did not have the financial resources available to carry out the works, it resolved that the order should not be confirmed or pursued until a restoration contract was in place with a third party. No such third party subsequently came forward and therefore compulsory purchase was not possible. The Council has subsequently supported the principle of enabling development at this site as a means of restoring Caldwell House and when this application was submitted the East Renfrewshire Local Development Plan (adopted 2015) specifically identified the site as appropriate for enabling development.

The applicant has set out the case for enabling development through a series of submissions. While the East Renfrewshire Local Development Plan 2 does not have a specific policy on enabling development or a designation for Caldwell House on the proposals map as suitable for enabling development, the principle that an enabling development approach is appropriate in this case is accepted. Policy D15 (Listed Buildings) of the LDP2 also states that enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long term future. Any development should be the minimum necessary to achieve these aims. Proposals that conserve and enhance assets on the Buildings at Risk register will be encouraged.

There is limited government guidance available on enabling development which is specific to Scotland, however Historic Environment Scotland does offer some guidance and support as an approach to secure the continued use or reuse of listed buildings, as follows:

"In the planning system, 'enabling development' has a very specific purpose; it allows development to take place which would normally be contrary to planning policies, in order to obtain a desired objective. This might include the reuse of a historic asset, particularly if it would mean saving it from continued deterioration and potential loss. In such cases the enabling development should be the minimum necessary to secure the asset's future. In many cases the opportunity for enabling development will depend on the availability of land, which should not be parcelled up separately from the asset. The enabling development should be securely tied to the reuse of the historic asset through a planning or other legal agreement."



### *Significance of Caldwell House*

The Conservation Plan submitted to support the application identifies Caldwell House as being of international cultural significance. The building was constructed in the 1770s and was designed by architect Robert Adam who is one of Scotland's most important architects. Caldwell House is one a series of houses designed by Robert Adam in a unique architectural style (castle style) that he is credited with developing, with Caldwell House a relatively early example of this style. Some aspects of the building are deemed to be of outstanding cultural significance, in particular the main frontage to the north. Other parts of the building and the landscape of the estate are of considerable and moderate significance.

Caldwell House is largely derelict with primarily only the stone walls remaining, therefore at present the building is not particularly attractive, albeit it still appears as a grand house due to its size (4 storeys in height) and the style of its openings and other architectural features. It is acknowledged within the submitted Conservation Plan that in terms of style, the building design was likely constrained by the budget available at the time and as such the building does not have as much architectural detailing as some of Robert Adam's more decorative buildings of similar style such as Culzean Castle in Ayrshire, which is also on a much larger scale. Despite this, there is no doubt that Caldwell House is an extremely important building in architectural and cultural terms due to the significance of Robert Adam nationally and internationally and to the associated development of the country house castle style of architecture, with Caldwell House part of a relatively small number of buildings demonstrating this style of architecture. The original drawings of the house are still available and therefore there is an opportunity to reinstate the building to the original design. The internal features of the building are not significant in this instance as the interior was not completed.

The proposed plans for Caldwell House are to reinstate the buildings to its original design as far as possible. This includes replacing lost features, stone repair, re-roofing with slate, new timber windows and doors to match the original design and internal fit out to include retention of any remaining features such as staircases and an internal design to be sympathetic to the original drawings of Robert Adam. Demolition of any features that detract from the original aesthetic and design concept are also proposed. Historic Environment Scotland (HES) have provided detailed comments on the proposed works to Caldwell House and Keeper's House and are supportive of the principles and design approach to reinstate to the original condition and intention of Robert Adam, as much as possible. Detailed comments on specific aspects have been provided by HES and these can be conditioned. In terms of the design approach, it is noted that the applicant has provided a comprehensive analysis of the importance of the building and a detailed design response which respect the character of the building and will provide for a high quality restoration of Caldwell House and Keeper's House, thereby retaining a nationally important historic asset. The proposals include extensive works to the setting of Caldwell House, including walls, staircases and hard landscaping which would provide a significantly enhanced appearance to the building and immediately surrounding areas. Proposed, modern designed bungalows are also proposed at either side of Caldwell House, which are considered to complement the historic setting.

### *Economic justification*

In terms of the nature of the restoration, the applicant is proposing to fully restore the building. This is estimated to cost £15.1m, although this includes all costs associated with the restoration of the estate, including works to Keeper's House, woodland management/landscaping, fees, bus provision, financing and developer's profit. Due to the substantial cost, the extent of enabling development proposed is also significant to cover these costs and other associated build costs (the conservation deficit). For clarification, the conservation deficit is the difference between the costs to restore the listed building less any income from the sale of these listed buildings. In this case it is approximately £11.1m. The applicant has stated that the conservation deficit will be funded from the surplus from the net profits from the sale of the properties in the enabling development. The applicant has advised that the scale of enabling development is therefore determined by the need to fund not only the works to the listed building but also any abnormal costs, including any upgrades for infrastructure and services to service both the listed building and

enabling development. In terms of the rationale for the scale of financial outlay to achieve full restoration, the submitted conservation plan states that:

"Restoration is the paramount conservation issue at Caldwell House. The main conservation benefit which could be achieved by the project is the restoration of Caldwell House and the Keeper's House. The main house should be restored because its primary significance is in the design of Robert Adam, and as a point in the evolution of his Castle Style. Because it is the design rather than the fabric which is significant it is the work of restoration that would recover and enhance this outstanding significance. Repair of the building as a ruin would not achieve the enhancement or recovery of the Robert Adam design. Robert Adam did not design the building as a ruin and the roofless house does not express Adam's design. Caldwell house is not an attractive ruin."

The document further explains that to retain the building as a ruin would be technically challenging and expensive given the interventions and maintenance required to maintain it to a safe standard. In terms of the above, it is considered that the proposed approach to restore the building fully (rather than an alternative approach such as façade retention) is acceptable in principle given the significance of the building and its current condition. Historic Environment Scotland also support the detailed restoration plans proposed.

In terms of the economic justification for the proposals, the applicant has submitted supporting documentation in the form of a detailed financial appraisal and structural survey information. The financial appraisal set out that in the applicant's view the proposed development was the minimum level of enabling development required to support the restoration of the listed buildings and that, as a result, the proposal could not support the application of the Council's affordable housing and development contributions policies.

The Planning Service has sought independent advice from professional surveyors through the District Valuer (DV) and independent QS consultants on the submitted appraisal, both on the level of enabling development proposed, including the viability of the proposal, and whether the proposal could support the application of the Council's affordable housing and development contributions policies. The conclusion was that the proposed development was only marginally viable, however it is accepted that the applicant is not proposing works in excess of what is required to fund the conservation deficit. Therefore, while there appears to be little doubt that the volume of development proposed is required to fund the conservation deficit, the DV does question the low level of profit proposed to be extracted and therefore, while the applicant has demonstrated that the minimum level of development is proposed to restore the building, there are considered to be some risks in terms of the full restoration of Caldwell House being achieved due to economic factors which may be outwith the control of the applicant.

In normal circumstances the Council's affordable housing policy and development contributions policies would be applicable to the 123 class 9 residential units that are proposed in this application. On the basis that the proposal is only marginally viable, if further costs in respect of the required ERC development contributions were included in the appraisal, then the DV's view is that the proposed development would be unviable. The DV also advises that the applicant's claim that the development cannot support the application of ERC's 25% affordable housing policy and development contributions policy would therefore appear to be a reasonable conclusion.

The Planning Service is duty bound to assess the proposals as presented. Therefore, while there may appear to be other options available to fund the restoration of Caldwell House, the Planning Service is satisfied that the proposed works are based on a clear, technically sound and costed plan to restore the building, which, it is acknowledged, would provide a significant cultural benefit to the wider area. However, there is considered to be some risk that the final restoration potentially would not take place due to variables not controlled by the applicant, including wider economic issues such as inflation and the condition of the housing market.

### *Phasing*

In respect of phasing of the works to Caldwell House, there are 4 main stages of the proposed restoration, which are:

- Caldwell House made structurally safe (phase 1). Phase 1 also includes the full restoration of Keeper's House
- Restoration works to make the building wind and watertight (phase 2)
- Drying out period of Caldwell House (phase 3)
- Internal fit out of Caldwell House (phase 4)

There are 5 construction phases in total, with the applicant stating that each phase roughly equates to 1 year. There are also advanced works to be carried out at the start, including some demolition, tree felling/landscaping, utility works and the roundabout construction.

Phase 1 includes the provision of 37 bungalows and phase 2 includes 43 bungalows. The details submitted by the applicant indicate that within phase 1, Caldwell House would be structurally safe within approximately 9 months of works commencing on site. This coincides with other construction works, with the 37 bungalows completed 3-4 months later. Phase 2 indicates that making Caldwell House wind and watertight would take approximately 7 months and this work would be completed 3 weeks after the 43 bungalows in this phase are constructed. The works to make the building wind and watertight include completion of the slate roof structure, new windows and doors, stone repairs, repair and propping up of ground floor ceiling, structural repairs and installation of new concrete ground floor and lift pit.

For phase 4, the internal fit out (including the provision of the community facilities) is proposed to be 8 months duration and completed approximately 2 months after the construction of bungalows is completed. At the end of phase 4, 128 bungalows in total will be completed and the 60 bed care home. Phase 5 will be for the completion of site works, include the provision of 12 further bungalows. It should be noted that the phasing timescales are estimates by the applicant and may not reflect exactly how any approved works progress.

In planning policy terms, any new build development in this location (as opposed to restoration or conversion) would be unacceptable without the full restoration of Caldwell House. Further, the provision of a partially restored building, i.e. external restoration works only and without the provision of community facilities would also be unacceptable as the retirement village concept would not be realised. Therefore, the proposed phasing and delivery of the restoration works is of significant importance to the planning assessment as development of the retirement village without full restoration of Caldwell House would clearly be an unacceptable outcome. In terms of the amount of work carried out in the early phases, it is noted that the majority of the external restoration works (and the most expensive works) are proposed to be completed by the end of phase 2, i.e. the building is proposed to be largely repaired externally, fully roofed and with windows and doors installed. This coincides with the completion of 80 bungalows on site, as well as other infrastructure works and woodland works and the full restoration of Keeper's House. The final fit out of the building and provision of the community facilities will not be provided until nearer the end of the construction works. As a result, while there is no planning reason at present to doubt that the works will be fully completed, given the present economic uncertainty, there is clearly some risk that a substantial number of new properties are built on site without Caldwell House being fully restored. It is considered that this risk can be mitigated to an extent by imposing phasing conditions on any planning approval and the imposition of restrictions in a legal agreement. In this regard, it is noted that the time period to make Caldwell House structurally safe is relatively short (estimated at 2 months) and in financial terms, the costs are not significant compared to the other advanced works to be undertaken by the applicant at the start of construction works. It is therefore considered necessary that should the planning committee be minded to approve, a condition is imposed requiring that Caldwell House is made structurally safe prior to the commencement of any construction work on the bungalows. This would ensure that the building is secured as quickly as possible and prior to any substantial works by the applicant. The Planning Service would monitor the early stages of the development to ensure compliance.

In summary, it is considered that the applicant has successfully demonstrated that the proposed enabling development is reasonable and proportionate to achieve the full restoration of Caldwell House, thereby retaining this cultural asset of outstanding importance. The proposal is therefore considered to comply with policy D15 (Listed Buildings) of the adopted Local Development Plan in this regard. However, this is one part of the assessment and the second part of the assessment

relates to the significance and weight to be attached to the environmental and other impacts associated with the proposed development. These are set out in detail below.

The proposed development of the retirement village requires to be assessed against the relevant development plan policies and any other material considerations. The potential impacts (positive and negative) are listed below under broad headings, however there is clearly some overlap in these categories.

### *Sustainability of proposals*

In relation to the adopted LDP2, the three strategic objectives are:

1. Creating sustainable places and communities
2. Promoting sustainable and inclusive economic growth
3. Promoting a net zero carbon place

Strategic Policy 1 states that proposals will be required to meet the objectives of the LDP and contribute to the delivery of the development strategy in order to create sustainable, well designed, connected, healthy, safe and mixed communities and places. Proposals should be designed to promote the health and wellbeing of the development for people of all ages, abilities and backgrounds and demonstrate economic, social and environmental benefits. This policy lists further criteria to be complied with including the reuse of brownfield and vacant sites, protection and enhancement of the built, historic and natural environment and sustainable and inclusive economic growth. Of further relevance are policies D3 (Green Belt and Countryside Around Towns) and Policy D8 (Sustainable Transport Networks) which seek to restrict development in the countryside and ensure that proposals prioritise active travel and are accessible and permeable by foot and cycle.

Policy SG2 (Housing Mix) states that the Council will require residential proposals to provide a mix and choice of dwelling types, sizes and tenures to meet housing needs, including for people with a disability, older people, families and individuals, to widen housing choice and contribute towards the creation of sustainable mixed communities. The different types and sizes of housing are required to be well integrated throughout the development.

The proposal development (excluding the restoration of Caldwell House and Keeper's House) represents a significant scale of development in the green belt, in an isolated location. The development would not be linked to any other settlements in the sense that it is not possible to safely walk to or from this location to local services. Cycling is also unlikely to be a viable option for the vast majority of future residents or employees due to the rural nature of the site. The provision of this scale of development in the countryside is therefore not considered to be sustainable in terms of the traffic generated by the development, which will contribute to higher emissions and associated impacts. It is acknowledged that the development is not mainstream housing though and instead the proposal as submitted is for a retirement village which is argued by the applicant to be more sustainable and appropriate for a countryside location as there are more facilities on site for residents, therefore less need for travel to surrounding settlements to access services. Further, the concept allows for continuing care needs and a transition, if required, between the different types of accommodation proposed. In terms of the range of services offered, the applicant has advised that the Caldwell House will house a cafe, hairdressers/salon, clinic, meeting room and a shop. The proposed care home will also have facilities to cater for the residents such as café, shop, hairdressers and communal areas. All of these facilities will be available to local communities as well as residents of the village. In addition to the internal facilities, the development proposes a wide range of recreational walking routes (5km approximately) around Caldwell estate and some associated recreational features.

In terms of the concept of a retirement village, it is acknowledged that there may be health benefits for residents and the potential for an associated reduced demand on local health and social care services. In this case however, it is considered that the majority of recreational, social and even shopping/food services required to be considered a sustainable village are not offered at the site. The concept proposed is primarily of restricted age housing, supported housing and a care home with the potential for limited scale supporting services. Of particular note is the lack of

any substantial communal facilities such as outdoor sports/recreation facilities, restaurant and substantial scale social meeting space such as a hall or other similar facility for social events. There is also a lack of any formal outdoor meeting places such as a village square or seating areas. The proposed facilities are to be housed in the ground floor of Caldwell House and as such are considered to be very limited for the number of residents at the site. The café indicatively shows 6 tables (with some outdoor seating capacity also) and a meeting room is shown with one large table. The shop measures approximately 3.8m by 7m and would clearly have limited produce and the lounge/seating area at approximately 35 square metres would not provide any substantial opportunities for events for large numbers of residents. It is acknowledged that due to the conservation deficit in this case, large scale provision of communal facilities may not be financially viable but there is some concern over the concept of this type of retirement village in a remote location when it is clear that the communal facilities are not of sufficient scale to meet the full needs of residents.

Due to the design constraints of the site in terms of the historic significance of the site, i.e. the fixed position of Caldwell House, main routes, trees and topography, the development also lacks some of the placemaking features that typically makes a settlement attractive and comfortable for residents. In particular, Caldwell House, which is at the far end of the development for most residents, would be partially screened by trees and accessed via some steeper topography, thereby making walking to this location potentially less attractive. As there are limited facilities as well, this results in a form of development that it is considered would not achieve the level of community interaction and social benefits intimated by the applicant and which would be expected in a retirement village that would potentially be centred on a much larger community hub. This also increase the likelihood of private car travel to and from the site by residents seeking essential services as well as social and recreational opportunities. It should be noted that the applicant has advised that a private bus service will be provided, although the funding provided by the applicant to subsidise the service is only available from the start of development until the end of phase 3 (approximately 3 years). After this initial period, the applicant has advised that the longer term funding of the bus service will be a decision to be made by the owners of the properties in the retirement village, as part of the overall factoring arrangement. There is therefore some concern about the likely costs and long term viability of the bus service, although it is acknowledged that a bus service would reduce environmental impacts. Bus stop locations within the site are shown on the submitted drawings.

In terms of the proposal put forward, it is acknowledged that the development is designed to maintain the historic significance of the estate and to accommodate the restoration of Caldwell House and Keeper's House (which includes a substantial financial outlay) and that for some residents, living in a green and wooded environment with a range of walking routes and the security of being in this type of development would be attractive and may bring health benefits. However, overall, in terms of the sustainability of the proposal and reducing the need to travel, it is clear that the proposal cannot be considered as a retirement settlement that will cater for the majority of residents needs and overall is not considered a sustainable form of development in the countryside for residents or employees working at the site. As a result the proposal is considered to be contrary to the terms of Strategic Policy 1. In relation to providing an appropriate housing mix that contributes to the creation of sustainable mixed communities, it is noted that the proposal will provide a range of specialist housing to meet the needs of older people and some disabled needs, however it is considered that a sustainable mixed community will not be created, as required by Policy SG2. Furthermore, due to the reliance on private car travel, it is considered that the proposal does not comply with Policy D8 (Sustainable Transport Networks).

It should be noted that the applicant has submitted an energy statement in support of the application. This document states that to comply with section 6 of Building Standards and policy E1 (Sustainable Design) of LDP2 a number of low and zero carbon technologies are proposed. The proposed measures which are designed to achieve aspect silver level (Building Standards) include passive measures to reduce energy demand and air source heat pumps or photovoltaics. Electric charging points for vehicles will also be provided, and these can be required by condition, if minded to approve. The submitted drawings show the position of communal electric vehicle charging points spread through the development. It is considered that the proposals will comply with Policies E1 (Sustainable Design) and D11 (Electric Charging Infrastructure) of LDP2 in this regard.

In terms of sustainable development, there are also acknowledged to be benefits from the development, including the safeguarding of an important historic asset, the provision of enhanced recreational opportunities, and economic benefits, which are discussed further below.

### *Impact on trees/biodiversity*

There are a number of ecological designations on the site and three local biodiversity sites (LBS) are identified. These are Caldwell House Woods LBS, Glen Wood and Hall Mire LBS and Lugton Water LBS. There are also extensive areas of woodland on the site which are included in the ancient woodland inventory. These woodlands contain areas of sycamore and beech and some conifers, oak and other native species. In addition, there are areas of neutral grassland and areas of swamp identified. The applicant is proposing to remove approximately 6 hectares of woodland for development, with 4.5 hectares of replacement planting proposed on site and a further 2 hectares proposed off site as compensatory planting. There are also substantial other areas to be felled and replanted (17.2 hectares) as part of ongoing woodland management proposals. The submitted EIA report states that the compensatory planting proposed is five different mixes of broadleaved species, which, when established, will be of higher biodiversity than the woodland being removed.

Policy D7 (Natural Environment Features) of LDP2 states that the Council will protect and enhance natural environment features and seek to increase the quantity and quality of the areas biodiversity. There will be a strong presumption against development on or adjacent to Natural Features where it would compromise their overall integrity, including Local Biodiversity Sites, Local Nature Reserves, Tree Preservation Orders and ancient and long established woodland sites. Adverse effects on species and habitats should be avoided with mitigation measures provided wherever this is not possible.

In respect of trees and ancient woodland specifically, criterion 3 Policy D7 states the following:

Development affecting trees, groups of trees or areas of woodland will only be permitted where:

- a. Any tree, group of trees or woodland that makes a significant positive contribution to the setting, amenity and character of the area has been incorporated into the development through design and layout; or
- b. In the case of woodland:
  - i. its loss is essential to facilitate development that would achieve significant and clearly defined additional public benefits, in line with the Scottish Government's Policy on Control of Woodland Removal; or
  - ii. in the case of individual trees or groups of trees, their loss is essential to facilitate development and is clearly outweighed by social, environmental, community or economic benefits.

Where woodland is removed in association with development, developers will be required to provide compensatory planting which enhances the biodiversity of the area and demonstrates a net gain. The loss of ancient or semi-natural woodland, or trees covered by Tree Preservation Orders will not be supported. Ancient woodland is an irreplaceable resource and should be protected from adverse impacts arising from development.

The applicant has submitted a range of supporting information, including a tree survey and an assessment of tree related aspects relative to ancient woodland designation. This report concludes that overall there is no to very low indication of ancient woodland character, low indication of continuity of previous ancient woodland character into the present day and some indications of long established plantation origin, albeit with poorly evolved ancient woodland characteristics.

The applicant has also submitted a woodland management plan which estimates that based on the Ordnance Survey maps of 1958 and 1970, some of the conifer plantations that are designated as ancient woodland date from the 1960s. These are proposed to be felled. In addition to these more modern conifer plantations, the Woodland Management plan identifies further conifer plantations that are proposed to be felled, which are recorded as being long established woodlands of planting origin, recorded in 1860. To clarify, a total of 6 hectares are to be felled to

accommodate the development, with 6.5 hectares of compensatory planting proposed. The survey information submitted has identified that the woodland on the site has not been managed adequately and felling and replanting would be required on the parts identified as replanting irrespective of whether development was proposed. A total of 1 hectare of broadleaved woodland will be lost to development and a further non-native conifer area of 5 hectares will be lost. Of the 6 hectares lost to development, 1.3 hectares will be within a Local Biodiversity Site and 4.7 hectares designated as ancient woodland.

The Council consulted Scottish Forestry (SF) on the application who provided detailed comments and are not supportive of the proposals. The main concern of SF relates to deforestation and the potential effects it could have on the ecology and landscape of local and wider environs. SF have stated that Scottish Planning Policy (Control of Woodlands Policy) seeks to protect the existing forest resource in Scotland and supports woodland removal only when it would achieve significant and clearly defined additional public benefits. SF note that 5.1 hectares of woodland would need to be permanently removed to facilitate the development and further that the woodlands are listed on the National Forest Inventory, the Native Woodland Survey for Scotland and the Ancient Woodland Inventory. SF do not accept that the restoration of Caldwell House and the former Keeper's Cottage represent a defined, significant public benefit justifying the permanent deforestation of over 5 hectares of designated Ancient Woodland.

Following the provision of the above comments to the Planning Service, further engagement with SF and the applicant took place to establish whether the concerns of SF could be addressed. Further clarification was provided by SF that any area of ancient woodland should be retained and ideally transitioned to native broadleaf where they are currently conifer and that it is the underlying forest soils which are important and cannot be recreated. SF welcome the proposal for compensatory planting which avoids a net loss of woodland cover.

In relation to the position of Scottish Forestry, it is clear that the concerns relate to the principle of removing a substantial area of trees designated as ancient woodland and the reasons for this relate to not just the tree loss but the soil conditions and the irreparable damage to the soils and associated biodiversity by removal. The position of Scottish Forestry is noted and is a material consideration. The applicant's position is that having assessed the quality and age of the trees, the impact will not be significant and that in the long term the proposed amount and diversity of planting will overall have a positive environmental impact. In this instance, the planning authority is required to reach a balanced view on these matters and in this regard it is considered that the proposed felling of the woodland will have an adverse environmental impact, although it is accepted that the applicant has provided a detailed assessment of the woodland characteristics. In particular, it is considered that the loss of mature trees and replacement with a range of species will have an adverse environmental impact on climate change objectives as it takes several decades for the benefit of replanting to be fully realised, albeit it is recognised that commercial plantation normally operate in cycles of felling and replanting. In addition, in this case, there is concern over the loss of irreplaceable biodiversity from felling due to the characteristics of parts of the woodland as ancient or long established wooded areas.

The comments provided by the Woodland Trust have also been noted, as well as a response to their objection comments by the applicant. In terms of the position of the applicant, it is noted that there will be sufficient replacement tree planting proposed and further that more diverse and appropriate native species are proposed in the long term. Despite this, given the position of SF and the policy emphasis on retaining areas of ancient woodland due to their intrinsic qualities, it is considered that the proposal does not comply with Policy D7 of the Local Development Plan and Policy 13 (Forestry and Woodland) of the Strategic Development Plan in respect of loss of ancient or semi natural woodland.

In addition to the potential environmental impacts of tree loss, the potential impacts on other habitats and wildlife/protected species is also relevant to the assessment of the application. In terms of ecology, the information submitted by the applicant states that the woodland provides shelter and corridors for wildlife movement through the area, while providing food and habitat for other. There are also areas of other habitats such as water courses and open water, open spaces with abundant bramble and scrub and wetter areas of rushes. There are signs of badger and roe deer within the woodland areas and bats and red and grey squirrels are present. Some invasive

species are also present. Caldwell House Woods is listed as a Local Biodiversity site (LBS) for its deciduous woodland and woodland flora. Glen Wood and Mall Mire LBS is contiguous with Caldwell House Woods and a very small section is found to the north of the site. Lugton Water LBS abuts Caldwell House Woods in the south of the site.

An ecological survey was submitted to support the application. This survey has identified that habitats in the majority of the site are low value although parts of the site are identified as having high local value for bats and birds. The semi-natural broadleaved woodland and swamp habitats have been identified as having a higher nature conservation value. The submitted survey recommends further surveys on badgers and bats before development commences on site. A license from Nature Scot will be required in respect of badgers. Trees should also be felled outwith the main bird breeding season of April to August. Additionally, it is noted that the applicant has proposed mitigation measures in relation to the formation of more biodiverse habitats and the introduction of native planting.

In respect of consultees, it is noted that SEPA commented specifically on Groundwater Dependent Terrestrial Ecosystems (GWDTE), which relates to the water/swamp areas and following submission of further information from the applicant, offered no objections to the proposals. Nature Scot also offered detailed comments and following the submission of additional information in relation to badger and breeding birds, have confirmed that there are no objections. Nature Scot also welcomed the commitment to implement a deer management plan and confirmed that the barn owl and bat boxes are appropriate short term mitigation.

Taking the above into account, it is considered that the ecological information submitted and associated mitigation proposed is considered acceptable and this aspect complies with Policy D7 of LDP2.

#### *Visual/landscape impact*

The applicant has submitted a green belt appraisal to support the application, which includes an assessment against the relevant development plan policies. In terms of impacts on the greenbelt, it is noted that the site is located on the periphery of the green belt in East Renfrewshire, close to the boundaries of East Ayrshire and North Ayrshire. There is no green belt in the adjacent authorities, therefore the site is on the outer edge of the Glasgow and Clyde Valley Green Belt. The closest settlement in East Renfrewshire is Uplawmoor, approximately 1km to the north east.

Policy D3 (Green Belt and Countryside Around Towns) of LDP2 states that development in the green belt will be strictly controlled and limited to that which is required and is appropriate for a rural location. Proposals will require to demonstrate that they are appropriate in terms of scale, size, design, layout and materials, to their rural location and compatible with adjoining and neighbouring uses. Proposals should be designed to complement the surrounding landscape ensuring that there are no significant adverse landscape or visual impacts and seek to ensure that the integrity of the landscape character and setting is maintained or enhanced as informed by the Council's Green Belt Landscape Character Assessment (LCA). Proposals should not be suburban in character or scale and should have no significant adverse impacts upon the amenity of the surrounding rural area. Proposals should make use of existing or replacement buildings whenever possible. Where it is demonstrated that this is not achievable and where a new building, structure or dwelling is proposed it should be commensurate with the functional requirement of the business, should be sited adjacent to other existing buildings and within the boundary of the established use.

In terms of landscape setting, the site lies within the Estate Landscape character type within the East Renfrewshire Green Belt Landscape Character Assessment Update 2016. Within this landscape character type, the site is identified as within the Caldwell House Landscape Character Area (LCA). The Landscape Evaluation for the LCA describes the location as weak in terms of its overall green belt function and its role in protecting and enhancing the character, identity and landscape setting of the settlement (Uplawmoor and Lugton).

With regard to the principle of the development in the green belt, it is acknowledged that the proposal is partially to reuse existing buildings, which is supported in principle by Policy D3,



however the extent of the supporting built development is of such a significant scale that it cannot be considered to be in compliance with the principles of Policy D3 which seek to minimise development in the green belt, unless necessary or an appropriate countryside use. The applicant has submitted supporting information to justify the proposal against green belt policies. This includes the lack of any significant visual impact, the provision of enhanced opportunities for recreation as a result of the development, the lack of any impact on coalescence of settlements and also that the proposal will still be in the green belt following development and that the proposed development is the minimum necessary to secure the restoration of Caldwell House.

The applicant has also submitted supporting information in the form of a landscape and visual impact assessment as part of the EIA. This submission identifies that the main effects of the proposal from the wider landscape will be along a short stretch of Gleniffer Road as it passes the site entrance. Further visual impacts will be apparent primarily from internal viewpoints within the site. The visual impact in particular at the site entrance has been identified as having localised significant effects for approximately 10 to 15 years post construction. Thereafter, the proposed landscaping planting to mitigate the impacts will take effect. In this regard, it is noted that the site is undulating (with highest areas to the north of the site) and is heavily wooded and as such views to Caldwell House and its immediate surroundings are not clearly apparent from the surrounding routes which are the main public viewpoints. A large part of the proposed development is on the lower parts of the site around the central area which currently has open views primarily from within the site only, although there are other areas of development at higher points within the site. To reduce any visual impacts, the applicant has proposed mitigation measures in the form of additional woodland planting. It is considered that the proposal will not have a significant visual impact on the wider landscape apart from at the site entrance. In this regard, the visual impact on external views at the site entrance, caused by the proposed roundabout and single storey housing, are considered to be significant and this will have an adverse impact on the openness of the countryside in this location, which is considered contrary to Policy D3. While the proposed planting will soften the impact of the proposed housing over time in this area, this is not considered to fully mitigate the visual impact of the proposed development at the site entrance on Gleniffer Road.

In summary, while it is accepted that this proposal is for an enabling development and that the restoration of Caldwell House and Keeper's Cottage is supported in principle, the impact of the enabling development is considered to be a relevant consideration when assessing the proposal against policy D3. In this regard, it is considered that the proposal does not comply with Policy D3 of LDP2 due to the scale of the enabling development in the green belt and associated visual impact associated with introducing an urban scale development in this location. In respect of the Strategic Development Plan (SDP), the site is identified as a strategic scale of development as it is for greenfield housing of more than 10 units outwith an identified site in the LDP. This policy requires assessment against Diagram 10 (Assessment of Development Proposals) in terms of whether the proposal is an acceptable departure from the SDP. This matter is considered in the overall conclusions section below.

#### *Placemaking, design and amenity*

In terms of assessing the proposal in detail, Policies D1 (Placemaking and Design), D6 (Open Space Requirements in New Development), D9 (Access), D14 (Management and Protection of the Built Heritage) and D15 (Listed Buildings) are the most relevant and set out a number of criteria for assessing development to ensure that it is well designed and compatible with the character and amenity of the locality and it is of a size, scale and density in keeping with the locality and respects local building form, design, and materials.

In terms of the detailed design considerations, the proposed restoration of Caldwell House is key to the principle of enabling development at the site. In this regard, the input of Historic Environment Scotland (HES) Scotland is of critical importance to the assessment. HES have advised that they welcome and support the proposal to repair and convert Caldwell House and to reinstate Robert Adam's original design as far as possible. They accept that there would be detrimental impacts on its parkland setting but securing the long term preservation of the house through re-use outweighs these impacts. Further, detailed comments have been provided on materials and landscape setting. In respect of the comments from HES on the setting of the

Caldwell House, the applicant has advised that due to costs, it is not possible to introduce more stone into the proposed new build properties but details of the render can be agreed and conditioned, if required. A more detailed assessment of the listed building impacts and associated advice from Historic Scotland is contained in Listed Building Consent application 2021/0334/LBC, however it is noted and accepted that the proposed restoration works to Caldwell House and Keeper's Cottage will be to a high quality standard.

In relation to the detailed design of the proposed built development, the applicant has submitted a range of supporting information including a masterplan report, which seeks to explain the rationale and design approach adopted for this development. The key features identified include the setting immediately around Caldwell House and the importance of views to both sides of the building, as well as the historic routes through the site which are to be retained and form the main vehicle and pedestrian routes through the site, towards Caldwell House. The wider setting of the Caldwell Estate is defined by the trees and landscaping within the site, as well as the topography, which is undulating. The most significant additional feature is the current area of open space within the central part of the site, which provides a strong visual character of open views towards Caldwell House at the eastern end of the site. As a result of the landscape and historic constraints described above, the design concept proposed (as described by the applicant) is a series of rural courtyard type developments or neighbourhoods within the existing and enhanced/conserved landscape. The masterplan approach adopted was to identify suitable areas of development, where tree loss should be avoided and where tree loss would have less impact or could be successfully mitigated. The resulting development parcels are positioned to access the historic routes and where necessary mitigate any other adverse impacts such as retaining the water environment for ecological reasons and ensuring that Keeper's House is provided with an appropriate setting.

In terms of the form of development proposed, it is noted that there is a mix of building heights. While the bungalows are single storey, the assisted living blocks are three storey in height and designed in a perimeter block with a central area of shared open space. The proposed care home is two storey and is built as three linked, rectangular blocks. The largest assisted living block is positioned in the central part of the site, in a relatively lower part of the site and while it will be fairly dominant due its height, overall the impact is not considered significant on the landscaping setting. It is recognised however that the existing central area of open space is a significant feature and this has been recognised by Historic Environment Scotland and in the letter of objection. These comments have been taken into account and in this regard it is noted that there will still be an 'open feel' to this area (albeit diminished in quality) and that the setting of Keeper's House has been recognised and addressed through the positioning of the housing and routes in this area.

The proposal includes single storey bungalows adjacent to Caldwell House, which partly frame the view of the building, in particular from the south. The justification for this derives in part from the previous buildings on site and the way country houses were normally built with some service accommodation on either side of the main house. HES have accepted this argument and as such it is considered that this aspect of the proposal is acceptable in design terms. The proposed bungalows form the largest built development areas and are dispersed through the site in clusters. In parts of the site, the bungalows overlook the main street/road through the site but in other areas it is noted that units turn their back on these main routes and overlook internal routes to the block only. As a result, given the relatively dispersed nature of the clusters, it is considered that the development (apart from the areas around Caldwell House and Keeper's Cottage) will lack a distinctive and attractive built form and that to an extent the clusters will be separate and distinct groups of buildings linked by roads rather than an immediately attractive, varied and interesting built form, albeit with an attractive woodland setting. It is accepted however that the design approach adopted was to work with the landscape, historic routes and trees rather than design a settlement on a blank canvas and impose it on the site. Despite these constraints, the proposed layout does lack permeability in parts and the large expanses of trees and open spaces, as well as the lack of enclosure by housing, provides an environment in parts of the site that is likely to feel substantially safer and attractive to walk through during daylight hours that at night. It is noted however that the applicant is proposing a lighting scheme for the main routes through the site, which will provide some mitigation.

In amenity terms, the proposed bungalows all have private gardens and parking provision. The rear gardens vary in depth but in general are between 8m and 9m in depth, with a more bespoke design proposed for the houses next to Caldwell House. The overall size of gardens is considered acceptable given the restricted demographic of housing. In terms of overlooking and privacy, it is considered that the proposed layout is acceptable. The proposal includes extensive areas of open space and access to linked woodland walks throughout and around the site. It is further recognised that due to the lack of through traffic and demographic of resident the internal site routes should be relatively lightly trafficked which should enhance the attractiveness of walking and cycling, albeit as stated above, there are some concerns about passive surveillance of some of the routes. The applicant has included cycle rack provision within the detailed plans to encourage cycle use.

Overall, in terms of the requirements of Policies D1 (Placemaking and Design), D6 (Open Space Requirements in New Development), D9 (Access) D14 (Management and Protection of the Built Heritage) and D15 (Listed Buildings), the layout is considered to be broadly acceptable for the proposal under consideration, taking into account the constraints of developing this site in respect of the historic layout and fixed position of landscaping features, including internal routes.

### *Housing need/impacts*

The proposal includes 122 bungalows, with a mixture of 2 and 3 bedrooms properties. The larger type bungalows are all designed to be readily converted into wheelchair accessible dwellings and 13 of the properties will have built in wheelchair adaptations, which will be distributed throughout the site. The assisted living units are intended for those requiring some support to encourage independent living. Care services will be available on site as part of the management of the village. These properties are all 2 storey and are arranged in two courtyards with a central area of open space. There will be a total of 51 units. Each complex of assisted living flats has separate communal lounges and shared dining areas to encourage social interaction. There are also 15 assisted living units proposed in the restored Caldwell House, making 66 in total. The applicant has submitted a report that states that there is a shortfall in assisted living accommodation in the East Renfrewshire Council area. The assisted living blocks are 3 storey in height.

The proposed care home is designed flexibly to allow for use as a specialist dementia care facility if required. In terms of the principle of providing specialist accommodation, in particular the care home, Policy SG3 (Specialist Residential and Supported Accommodation) is relevant. This policy states that proposals for new specialist residential and supported accommodation will be permitted where the following criteria are met:

1. There is a proven need for such specialist accommodation which can be evidenced by an appropriate business plan or statement and supported by the Health and Social Care Partnership;
2. The proposal is located within the urban area and is accessible to active travel and public transport networks and other services and facilities;
3. The proposal would not be detrimental to the character or amenity of the surrounding area or result in the over concentration of similar specialist housing uses;
4. The design should focus on ease of access for those with mobility, physical or sensory disabilities and provide appropriate landscaping and amenity space; and
5. Can provide the required infrastructure resulting from development in accordance with Strategic Policy 2.

In terms of point 1 above, the applicant has submitted supporting information in the form of a Planning Need Assessment and Market Catchment Area which states that there is a significant shortfall in specialist dementia care beds in the East Renfrewshire Council area. The East Renfrewshire Health and Social Care Partnership (HSCP) were consulted on this application and have provided detailed comments. In respect of pressures on healthcare, the HSCP is significantly concerned about increased cost pressures resulting from the development and in-migration of residents and that the retirement village will generate increased demand for universal health and care services including GP, district nursing, physio, dental work etc. HSCP are also not clear on the level of health provision that would be available through the provider (e.g. whether community nursing support would be provided) or whether medical services would be provided on site. HSCP also have concerns about the requirement for the HSCP to meet additional Free

Personal and Nursing Care costs as a result of the development. In respect of the care home, the application states that the development will be aimed primarily at self-funders. However, HSCP are not confident that this is 100% achievable and will not result in an impact on care budgets. In respect of care home beds, HSCP have significant concerns about 60 new residential care units due to the strong evidence of oversupply in the East Renfrewshire market. In particular HSCP note that the applicant's assessment does not consider any current and planned care home provision in East Renfrewshire. The current proposals in the pipeline (if developed) would result in a 33% increase independent sector provision. HSCP advise that oversupply in the market and high vacancy rates means that existing care homes are vulnerable to becoming unsustainable and requiring to close. The issue of the difficulty of filling care staff roles has also been highlighted by HSCP. It is considered that the isolated nature of the site may exacerbate these issues.

Taking the comments of the HSCP into account, it is noted that the proposal does not comply with the terms of criterion 1 of Policy SG3 as the proposal is not supported by the HSCP for the reasons set out above. It is also considered that the proposal for a care home does not comply with criterion 2 as the site is not in an urban area and is not accessible to active travel and public transport networks. The proposal has access to some facilities but, as described above, these are not considered to be extensive. The proposal is not considered to conflict with criteria 3 to 5.

The Council's Affordable Housing and Development Contributions Officer has confirmed that due to the nature of the proposed development and given the financial constraints of the enabling development, there is no requirement for development contributions or affordable housing in this instance. The proposal therefore does not conflict with the terms of Strategic Policy 2 - Developer Contributions or Policy SG4 Affordable Housing.

#### *Health and economic impacts*

The applicant has advised that 65 to 85 full and part time jobs will be created in the care home. In addition to direct employment in the care home, the applicant anticipates that a wide range of local companies will be involved in the provision of services in order for a scheme of this size to operate successfully with ongoing benefits to the local area. While the applicant has not provided bespoke estimates for this proposed development, based on a similar example, the applicant has advised that the economic benefits could be in the region of £20 - £30m for a 150 unit village. While it is not clear whether these figures are representative of the proposal under consideration (which does not have all the characteristics of a typical retirement village), it is clear that the proposal by its nature would provide fairly substantial local economic benefits, some of which may benefit local residents. Policy SG7 (Local Employment Skills) states that the Council will require major development proposals to contribute to inclusive economic and social growth by target job opportunities at local people. If minded to approve, this matter can be highlighted to the applicant with the aim of encouraging the introduction of measures to encourage local employment opportunities.

It is also recognised that the cultural benefits of restoring Caldwell House may also attract visitors to the site and wider area. This would align with the objectives of Policies SG5: Economic Development and SG9 (Tourism and the Visitor Economy), which supports the appropriate development of tourism facilities and the diversification of the rural economy.

The applicant has submitted supporting information in the form of a Planning Need Assessment which sets out a number of health and well-being benefits of a retirement village. The benefits include safety and security, self-reported health and social inclusion. In this regard it is acknowledged that all these benefits can help to increase life expectancy, as can exercise within a green and wooden environment such as is proposed in this case. However, there can be counter argument that providing care and supported facilities with an urban area where there is a wide range of other facilities can also be beneficial in terms of interest for residents and reducing isolation. In this case, there is concern that the isolated location and the lack of comprehensive facilities may provide less of the benefits of either residing in a mixed use, urban location or living in a retirement village within the countryside which meets the vast majority of the needs of residents. It is noted that the proposal will provide a range of residential options for the older population and also for those with mobility issues, and the provision of these facilities, and associated support, is welcomed in principle.

In terms of recreational opportunities, the proposal will provide a wide range of walking routes (approximately 5km) within the wooded areas around the areas of built development, with some routes including active exercise equipment. The site will be open to the general public and as such new walking routes and recreational opportunities will be provided for residents of the development as well as potentially some residents from outwith the site. The plans also include re-instatement of historic routes and a diverse range of walking opportunities, including boardwalks over areas of wetland meadow, as well as routes through open space and wooded areas. It is therefore concluded, in terms of health and social benefits, that the proposal would provide some benefits to the wider area and potentially more significant benefits to some residents of the development. This aligns with Strategic Policy 1 which seeks to create healthy communities.

#### *Other development management considerations*

The Roads and Transportation Service initially raised concerns in relation to the design of aspects of the development and the extent of proposed roads adoption, post construction. Following discussions, agreement has been reached on the extent of development that can be adopted by Roads and Transportation Services. A Transport Assessment was submitted in support of the application, which has demonstrated that the public road network in the vicinity of the site can accommodate the predicted development flows without having a significant impact. The proposal is therefore considered to be acceptable in terms of traffic impacts and in compliance with Policy D1 of LDP2. If minded to grant, planning conditions are considered necessary to cover minor layout changes identified.

In respect of sustainable transport options, Strathclyde Partnership for Transport (SPT) have advised that conditions should be imposed if minded to grant, to include: provision and continued operation of community facilities; temporary arrangements for the provision of community facilities prior to full restoration of Caldwell House; provision of a bus service to be operational at the first phase of development; provision of parking for non standard cycles; car and bike share opportunities and residential and commercial travel plans. In addition, a basic level of public transport provision should be enshrined through a legal agreement. In relation to SPT comments, if minded to grant, the intention would be to include the requirement for a legal agreement to restrict occupancy to the age restrictions proposed and to require the provision of the subsidised bus service until the end of phase 3 by condition, with the applicant required to provide further details of the proposed future service beyond phase 3. It is not considered necessary to provide temporary community facilities prior to the completion of restoration works in phase 4. It is considered necessary, however, if minded to grant, to condition the requirement for these facilities to be provided as per the submitted phasing details.

As part of the EIA, the applicant submitted assessments on noise and air quality impacts and a site investigation was also provided. Following an assessment of the relevant information submitted, Environmental Health are satisfied that the detail submitted adequately assesses the relevant issues and as such have offered no objections, subject to conditions. The proposal is therefore considered to comply with Policies E3 (Protecting Air Quality) and E5 (Noise Impacts).

Policies E6 (Water Environment), E7 (Flooding), E8 (Water Management) and E9 (Waste Water Treatment) are all relevant to the assessment given that there are watercourse/habitats on site and also that the proposed drainage arrangements at the site will require to connect to an appropriate water network. Scottish Water have advised that the nearest public water main is approximately 800m from the proposed site and that there is no public Scottish Water, waste water infrastructure within the vicinity of the site, therefore private treatment options should be investigated by the applicant. In this regard it is noted that the applicant has provided details within the submitted drawings of the location of a foul water treatment plant. Environmental Health have requested a planning condition requiring that properties have access to an appropriate private water supply. In respect of foul drainage, SEPA have advised that they have no objection in principle to the proposed development, although have advised that discharge to Lugton Water will require authorisation from SEPA through separate Water Environment Regulations. In respect of Policy E6 (Water Environment), it is noted that following submission of additional environmental information, SEPA have no objections to the impact on the established

water environment at the site. Further, there are no objections on flood risk grounds. Taking all of the above into account, it is considered that appropriate planning conditions on water/drainage connections will be required if the application is granted planning permission.

### Representations

In respect of the representation received the matters relating to the scale of the proposal, the importance of the building, the risk of Caldwell House not being restored, sustainability, lack of facilities and the importance visually of the central, oval space have been covered above. In respect of the following matters, comments are provided, as below.

If minded to grant, a condition can be imposed regarding construction phasing and working hours. It is acknowledged that there is likely to be some disturbance during construction, however the Planning Service can seek to minimise this through conditions and monitoring. The provision/retention of water supply and sewage arrangements by Caldwell Estate to adjacent residents is considered to be a private legal matter between the parties. The Planning Service is satisfied that flood risk has been adequately assessed and appropriate conditions can be imposed, if minded to grant.

### Overall Conclusion

It is considered that the applicant has demonstrated the level of enabling development proposed is necessary to secure the restoration and the long term viability of Caldwell House. Given the A listed status of the building and the significance of Robert Adam and the castle style of architecture, this is a significant factor and as such has been given substantial weight in the assessment. Despite this, it is clear that the level of enabling development is very substantial and at a level that will have significant impacts. It is also clear that if minded to grant there is an element of risk in terms of the proposed phasing of works and specifically the risk that development of housing and care facilities take place and the restoration of Caldwell House does not take place or is only partially completed. It is considered that this risk can be reduced and partially mitigated by appropriately worded conditions and legal restrictions.

It is considered that the proposal will result in significant environmental impacts in terms of the loss of trees and biodiversity, albeit in the longer term, this will be mitigated to an extent by replacement planting of a more diverse and sustainable nature. East Renfrewshire Council has declared a climate emergency and this is also considered to be a relevant factor in the assessment of this application. As part of the assessment of the application, a climate change impact assessment has been undertaken by the Council, as detailed below. The conclusion was that the development would have a moderate detrimental effect on community climate impacts. In this regard, given that the benefits from replacement tree planting in terms of carbon emissions are not likely to be felt for decades, there is concern that approval of this development will have an adverse climate change impact at the present time. This is exacerbated by the isolated nature of the development and resultant impact on emissions through additional traffic generation in particular. It is noted that the applicant has sought to demonstrate that the settlement would be largely self-sustaining, however this argument is not fully accepted and it is considered overall that the proposal is not a sustainable form of development in this countryside location and is contrary to green belt policy objectives. The economic benefits and potential health benefits for a specific demographic are accepted as positive impacts of the development, in addition to the most significant benefit in cultural terms of restoring Caldwell House.

In terms of the relevant planning policies set out above, the proposal is considered to be significantly contrary to the terms of Policy D3 (Green Belt and Countryside around Towns) and Policy D7 (Natural Environment Features) of LDP2 and also contrary to the Strategic Development Plan for the reasons summarised above. However, as explained at the beginning of this assessment, and as supported by Policy D15, enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the historic asset and securing its long term future. The resultant development should be the minimum necessary to achieve these aims. In this regard, given the site history and length of time Caldwell House has been vacant and subsequently derelict, it is accepted that the enabling development presented is likely to be the only means of preventing the loss of this important historic asset and of securing its long term future. Further, it is considered that the applicant has demonstrated that the proposed development is the minimum necessary to achieve these aims. While there is

considered be some fairly significant impacts from the development, in particular in relation to tree loss, visual impact and additional vehicle movements (with associated environmental impacts), it is accepted that the proposal will provide some health and economic benefits, as well as substantial cultural benefits from the restoration of a nationally important A listed building. The applicant has also proposed mitigation measures in the form of woodland planting, reinstatement of historic access routes, measures to increase biodiversity and design interventions to minimise impacts on the listed buildings. Due to the phasing programme proposed, it is acknowledged, however, that there is some risk (largely as a result of changing economic circumstances) that the site could be developed or partially developed without full restoration works of Caldwell House being completed. The provision of a care home in this isolated location and associated issues highlighted by East Renfrewshire HSCP relating to the detrimental impact on local health services are also noted.

Overall, taking all relevant matters into account, it is considered, on balance, that the benefits of restoring Grade A listed Caldwell House outweigh the environmental and other impacts detailed above and as such the recommendation is for approval, subject to conditions and a section 75 legal agreement.

This application is deemed to be contrary to Policy D3: Green Belt and Countryside Around Towns of the adopted East Renfrewshire Local Development Plan 2 and Policy 14 (Green Belt) of the Clydeplan Strategic Development Plan 2017 as it constitutes strategic scale development in the green belt without appropriate justification. The proposals are also deemed to be contrary to Policy D7 (Natural Environment Features) in respect of the loss of ancient woodland. As set out above, taking into account that the principle of enabling development has been successfully established in this instance, it is considered that the proposal is an acceptable departure for the following reasons:

1. The proposal has demonstrated that a minimum level of enabling development is proposed to enable a nationally important Grade A Listed Building to be fully restored, thereby providing a significant cultural benefit, in compliance with Policy D15 of the East Renfrewshire Local Development Plan 2.
2. The proposal will provide a range of specialist housing which meets the needs of the older population and provides associated health benefits.
3. The proposal will provide economic benefits to this rural location in compliance with Policy SG5 and SG9 of the East Renfrewshire Local Development Plan 2.

**RECOMMENDATION:** Dispose to grant subject to conditions following the conclusion of a legal agreement relating to phasing, occupation of assisted living units (at least one occupier to be receiving care), age restrictions of all units (over 55 only) and off-site compensatory planting.

**PLANNING OBLIGATIONS:** Should the application be approved a legal agreement relating to phasing, occupation of assisted living units (at least one occupier to be receiving care), age restrictions of all units (over 55 only) and off-site compensatory planting.

**CONDITIONS:**

1. Unless otherwise agreed in writing with the planning authority the construction and phasing programme shall accord with the matters set out within the Design and Access Statement – section 9.01, submitted in support of this application.

Reason: To ensure that the development is carried out in accordance with the approved details.

2. Prior to the commencement of development, a roads adoption drawing shall be submitted to and approved in writing by the planning authority. For the avoidance of doubt, the adoption drawing should detail asphalt and block paved areas, footways and service strips.

Reason: To ensure that the areas to be adopted by the Council are clearly agreed.

3. Notwithstanding the plans hereby approved and unless otherwise agreed in writing, a revised plan shall be submitted to and approved in writing by the planning authority detailing the relocation of the proposed garages in development zone 4 (4.01-4.10) to the rear of the plots, and any associated alterations to car parking and service strips.

Reason: In the interests of public safety.

4. No development shall commence until;
  - a) a scheme of further intrusive investigations has been carried out on site to establish the risks posed to the development by recorded mine entry 241653-001, and;
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure that the applicant adequately addresses previous coal mining activity.

5. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure that the applicant adequately assesses previous coal mining activity at the site.

6. The mitigation measures identified in the Groundwater Dependent Terrestrial Ecosystem Assessment dated 02/17/22 shall be implemented in line with phasing details to be agreed in writing with the planning authority prior to the commencement of development.

Reason: To ensure that the development does not have an adverse ecological impact.

7. The development hereby approved shall be carried out in accordance with the mitigation measures and licensing requirements detailed in the report titled Supporting Information for Application to Work Near a Badger Sett (November 2021).

Reason: To ensure that protected species are adequately protected.

8. Development shall not commence until samples of materials to be used on all external surfaces of the buildings and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

9. Notwithstanding the plans and phasing details hereby approved and unless otherwise agreed in writing, construction work shall not commence on any of the bungalows within phase 1 until Caldwell House is made structurally safe as agreed in writing by the planning authority.

Reason: To ensure that the Grade A listed building is made safe as soon as possible.



10. The community facilities hereby approved (lower ground floor facilities within Caldwell House) shall be made available for use prior to the commencement of any works in phase 5 of the development hereby approved. Unless otherwise agreed in writing with the planning authority, the community uses shall thereafter be retained in perpetuity for the residents of Caldwell Village.

Reason: To ensure that facilities and services are retained, in the interests of sustainable development.

11. A Phase 1 or Desk Study, to review all currently available information about the historical uses of this site shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors. Development shall not begin until the report of this investigation has been submitted to and approved in writing by the planning authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved in writing by the planning authority. This survey shall investigate all aspects of potential contamination of the site. The report of the investigation shall clearly document the methodology, findings and results. The risk posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations made for further investigations or remediation options to reduce those risks identified. Analytical and investigatory work used to support the conclusions of the survey shall include all results, logs etc. and information regarding the methodology and Quality Assurance Systems used. Greater credence will be given to analytical work undertaken by organisations, which are UKAS accredited in relevant areas. Guidance is given in: CIRIA C552 - 'Contaminated Land Risk Assessment. A Guide to Good Practice' by the DETR and CIRIA Environmental Protection Scotland "Land Contamination and Development" August 2019. The developer's reports of 'Site Investigation', 'Risk Assessment' and 'Remediation Options and the final Remediation Plan' shall be submitted to the planning authority, for written approval, prior to commencement of development works on the site. Changes to the approved Remediation Plan may only be made with the written agreement of the planning authority. Occupation of premises shall not be permitted until remediation/control measures are fully implemented. On completion of all remediation works, a Completion Report shall be submitted to the planning authority confirming the works have been carried out to the agreed plan. Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

Reason: To allow the Planning Authority to consider the matter fully and in order to ensure that the site is fit for the use.

12. Prior to commencement of the development, a scheme shall be submitted to and approved by the Planning Authority setting out the measurements that have been or will be put in place within the site as required by the Local Development Plan2 Policy E1. The said scheme shall include any phasing details as necessary. Thereafter the scheme shall be implemented as approved.

Reason: In order for the Planning Authority to consider these matters further and to ensure the development complies with the Local Development Plan2.

13. Notwithstanding the consent hereby approved, surveys for protected species shall be undertaken within a year of the last survey if the development has not started within the said time period. The surveys shall be approved in writing by the Planning Authority in advance, along with any mitigation including phasing of development, prior to works commencing on site.

Reason: To protect protected species and to allow the Planning Authority to consider these matters further.

14. Development shall not commence until a Green Travel Plan for the site has been submitted to and approved in writing by the planning authority. The Green Travel Plan shall consider walking, cycling and public transport access to the development and identify measures to be provided, mode share targets, the system of management and reporting mechanisms. Thereafter the approved plan shall be fully implemented prior to the commencement of development in phase 2 of the development hereby approved.

Reason: To be consistent with the requirements of Scottish Planning Policy on promoting sustainable transport and active travel.

15. Development shall not commence until details of vehicle wheel cleaning facilities and a road cleaning strategy have been submitted to and approved in writing by the Planning Authority. Thereafter the approved vehicle wheel cleaning facilities and road cleaning strategy shall be implemented as approved. All construction vehicles exiting the site shall have all tyres and wheels cleaned before entering the road.

Reason: To ensure mud and deleterious materials are not transferred to the road.

16. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no such activities on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the Planning Authority.

Reason: To prevent noise nuisance to the surrounding area.

17. Unless otherwise agreed in writing with the planning authority, prior to commencement of the development, a scheme, including phasing, shall be submitted to and approved by the Planning Authority for the installation of EV Charging points within the site as required by the Local Development Plan2 Policy D11. Thereafter the scheme shall be implemented as approved.

Reason: In order for the Planning Authority to consider these matters further and to ensure the development complies with the Local Development Plan2.

18. That unless otherwise agreed in writing with the planning authority, no construction works (other than stabilising of Caldwell House) shall commence until confirmation is provided by Scottish Water and SEPA that agreement has been reached that adequate water and foul water drainage facilities can be provided to serve the development. Thereafter no properties shall be occupied until the approved connections and associated plant are in place.

Reason: To ensure that adequate sewage and water facilities are available to serve the development.

19. The development shall be landscaped in accordance with the approved scheme (Dwg No. 20006-LAGA-Poo1-C Landscape General Arrangement Rev C) as follows:-
- a) Completion of the scheme during the first planting season following the completion of the buildings in the relevant phase or in compliance with the phasing programme agreed.
  - b) Maintenance of the landscaped area for a period of five years. Any trees, shrubs or areas of grass which die, are removed, damaged or diseased within 5 years of the completion of the landscaping shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environment quality of the development.

20. Prior to the commencement of development, a scheme detailing the operation of a subsidised bus service that connects to surrounding settlements shall be submitted to and agreed in writing by the planning authority. For the avoidance of doubt, this bus service shall operate as a minimum for the duration of phases 1, 2 and 3 and for a minimum duration of 3 years. Prior to the commencement of works in phase 4, a scheme specifying what measures will be introduced to enable residents to access sustainable transport options shall be submitted to and agreed in writing by the planning authority. Unless otherwise agreed in writing with the planning authority, the agreed measures shall be operational prior to the commencement of any works in phase 4.

Reason: To ensure that residents are able to access sustainable transport options, in the interests of sustainable development.

21. Development shall not commence until the trees marked for retention have been protected by suitable fencing. Fencing shall be erected on at least the fullest extent of the canopy on broadleaf trees and half the height of conifer trees as set out in BS3998/2010 and BS5837/2012. The approved tree protection measures shall be fully implemented on site and remain in position throughout the construction of the development.

Reason: To protect the existing trees and shrubs so that they continue to contribute to the environmental quality of the area.

22. Notwithstanding the plans hereby approved and prior to the commencement of development, revised plans shall be submitted to and approved in writing by the planning authority showing the masonry detailing (front and back) of arches in the screen wall that faces the moat (as currently shown on drawing P\_521\_A). For the avoidance of doubt these should be traditionally constructed masonry arches.

Reason: To ensure that the development is construction in accordance with the conservation plan and in compliance with HES requirements.

23. Prior to the commencement of development, detailed specifications and phasing information on the proposed exercise equipment within the woodland walk areas shall be submitted to and approved in writing by the planning authority. The exercise equipment shall thereafter be implemented and maintained in accordance with the approved details.

Reason: To ensure that these facilities are appropriate and provided within a suitable timescale

24. Prior to the commencement of development, detailed specifications of the proposed recreational access routes and paths that serve the development, including phasing details and associated lighting, shall be submitted to and approved in writing by the planning authority. The paths and routes shall thereafter be implemented and maintained in accordance with the approved details.

Reason: To ensure that these facilities are appropriate and provided within a suitable timescale.

25. Prior to the commencement of development, a scheme of construction related works shall be submitted to and approved in writing by the planning authority. This scheme shall include details of the location of site compounds, parking facilities, construction routes, any temporary footpath or road diversions and phasing details.

Reason: In the interests of amenity and road safety.

26. Prior to the commencement of development of the care home, landscaping details shall be submitted and approved in writing by the planning authority detailing the planting specification, phasing and maintenance details for the garden areas associated with the care home. The planting shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of amenity, as these details have not been submitted for approval.

27. Prior to the commencement of development, a woodland management plan shall be submitted to and approved in writing by the planning authority. This shall include, phasing details, measures to ensure compliance with wildlife and protected species legislation and long term maintenance arrangements.

Reason: To ensure that the woodland is managed in an appropriate manner, in the interests of sustainable development.

### **ADDITIONAL NOTES:**

You are required to display a notice for the duration of the development works and the relevant notice is attached for you to complete. The notice must be displayed in a manner that complies with the following requirements:-

- Display in a prominent place at or in the vicinity of the development site.
- Be readily visible to the public road.
- Be printed on durable material.

The applicant is advised to contact Scottish Water, Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, prior to commencing any works on site.

In addition to planning legislation, I would draw your attention to the provisions of the Nature Conservation (Scotland) Act 2004 and the Wildlife and Countryside Act 1981 with regard to the protection of Wildlife and, in particular, the needs to ensure that all works are preceded by a check for nesting birds. It is a criminal offence to intentionally or recklessly damage, destroy or otherwise interfere with any wild bird nest which is in use or being built or, which, at any other time, is habitually used by certain birds protected by special penalties. Where it is proposed to carry out works which will affect European Protected Species (including bats) or their shelter/ breeding places, checks should first be made by an appropriate bat surveyor. In the event a protected species would be affected a licence is required from the Scottish Government. Further information on these matters can be sought initially from Scottish Natural Heritage or Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh.

The applicant is requested to comply with the requirements of Scottish Environment Protection Agency (SEPA).

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

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

A Road Construction Consent is required under Section 21 of the Roads(Scotland) Act 1984. In addition a Road Bond is required under Section 17 of the Roads(Scotland) Act 1984.

The proposed vertical calming in development zone 5 is not required and should be omitted from any future RCC application.

An application for Approval in Principle (AIP) for the proposed culverts will be required to be submitted to the Roads Service as part of the RCC process.

At the care home accesses and the accesses to development zone 6 and 10, these should be footway/verge crossovers as they are not roads.

**CLIMATE CHANGE IMPACT ASSESSMENT:**

This development will have a moderate detrimental effect on community climate impacts. Embedded emissions from new construction, the removal of trees and the impacts on transport are the main factors leading to this conclusion. This could be mitigated with the following measures: properties built to gold active standard or passivhaus principles long-term energy requirements; properties built using construction materials with lower embedded emissions, reused materials and circular economy models; reduced requirement to remove trees; replacement of trees with native species would reduce climate impacts.

**ADDED VALUE:**

A legal agreement is required to secure essential aspects of the development and to ensure the proposal complies with the Council's Local Plan policies.

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Ms Julie Nicol on 0141 577 3001.

Ref. No.: 2021/0298/TP

DATE: 18th August 2022

**DIRECTOR OF ENVIRONMENT**

**Reference: 2021/0298/TP**

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# REPORT OF HANDLING

Reference: 2021/0334/LBC

Date Registered: 19th April 2021

Application Type: Listed Building Consent

Ward: 1 -Barrhead, Liboside And Uplawmoor

Co-ordinates: 241482/:654185

Applicant/Agent:

Applicant:

Caldwell Developments Ltd

66 Townhead

Kirkintilloch

Glasgow

United Kingdom

G66 1NZ

Agent:

Stuart Salter

Geddes Consulting

Quadrant

17 Bernard Street

Edinburgh

UK

EH6 6PW

Proposal:

Restoration, alteration and conversion of Caldwell House, involving removal of existing render, re-pointing & repairs to stonework, new roof, new windows, new lime render to all facades, new/repared chimney stacks, selective demolitions, & internal fit-out with modern construction techniques; plus restoration of Former Keeper's House, involving repairs to stonework, new roof, new windows, new lime render to all facades, new chimney pots, & internal fit out with modern construction techniques.

Location:

Caldwell House

Caldwell Estate

Gleniffer Road

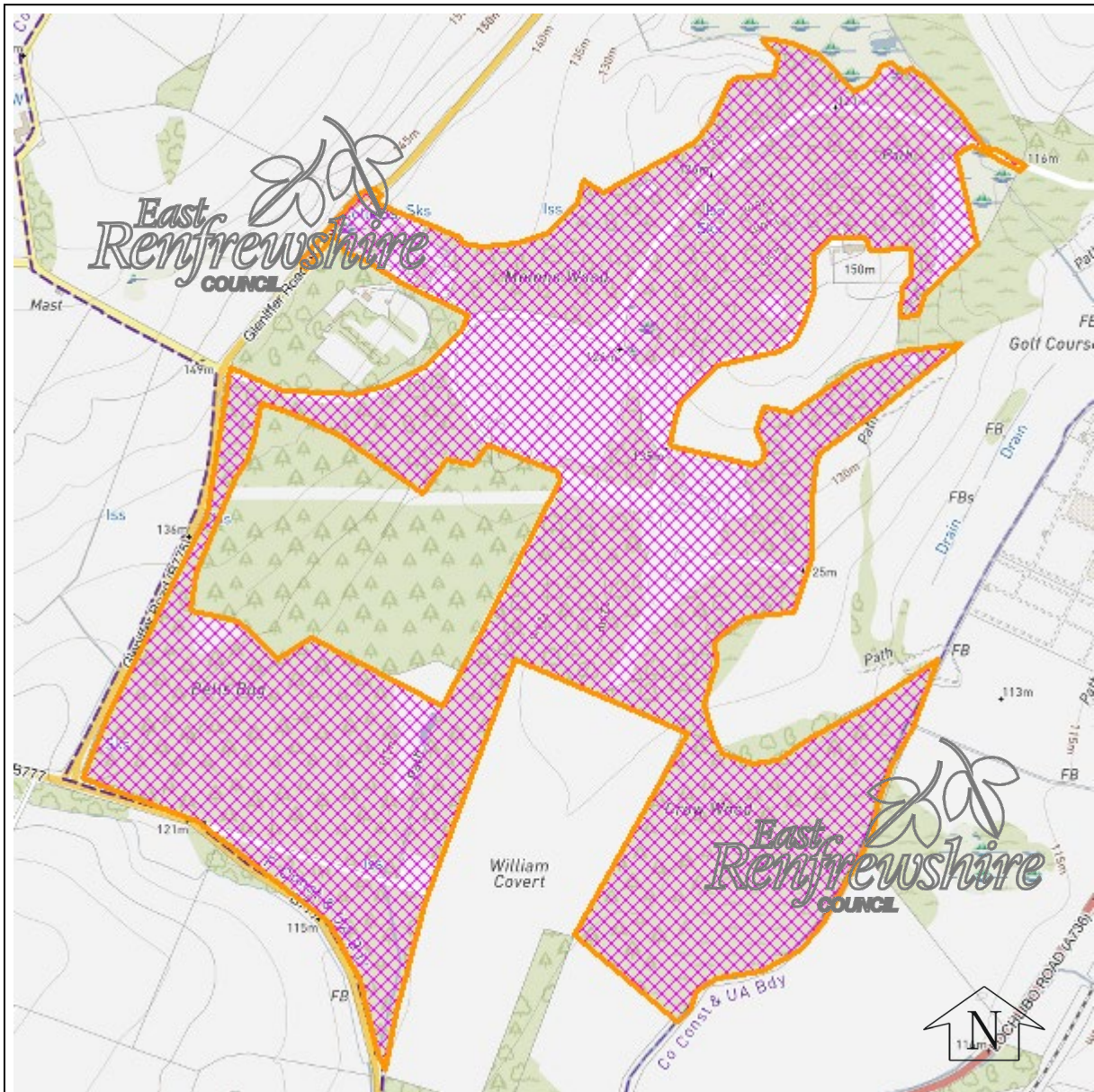
Uplawmoor

East Renfrewshire

G78 4BE

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**CONSULTATIONS/COMMENTS:**

Historic Environment Scotland

HES welcome and support this proposal to repair and convert Caldwell House and to reinstate Robert Adam's original design as far as possible. We accept that there would be detrimental impacts on its parkland setting, but our view is that securing the long-term preservation of the house through re-use outweighs these impacts. The proposed enabling development would have a detrimental impact on the setting of Caldwell House because it would urbanise the character of a significant portion of its parkland. However, immediate views to and from the house would be outweighed by the heritage benefit of restoring the house. Further comment is also provided by HES on the proposed materials of buildings, landscaping issues and the detailed assessment with the supporting EIA.

**PUBLICITY:**

25.06.2021	Barrhead News	Expiry date 16.07.2021
25.06.2021	Edinburgh Gazette	Expiry date 23.07.2021

**SITE NOTICES:**

Listed Building Consent	Date posted 25/06/21	Expiry date 16/07/21
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**SITE HISTORY:**

2007/0143/TP	Change of use from derelict nursing home to dwellinghouse	Approved Subject to Conditions	12.09.2007
2007/0405/TP	Removal of roof (in retrospect) re-instatement of roof and demolition of existing laundry, garage and toilet block extensions	Approved Subject to Conditions	13.02.2008
2007/0008/LB	Removal of roof (in retrospect) re-instatement of roof, demolish existing laundry, garage and toilet block extensions	Approved Subject to Conditions	19.03.2008

**REPRESENTATIONS:** No representations have been received.

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:**

The relevant policy documents can be found at the following links:

Scottish Planning Policy –

<https://www.gov.scot/publications/scottish-planning-policy/documents/>

The Glasgow and Clyde Valley Strategic Development Plan –

<https://www.clydeplan-sdpa.gov.uk/strategic-development-plan/current-plan/current-strategic-development-plan-july-2017>

Local Development Plan2 –

<https://www.eastrenfrewshire.gov.uk/ldp2>

**SUPPORTING REPORTS:**

Conservation Plan	Provides a comprehensive assessment of the historic and architectural significance of Caldwell House and surrounding features. Recommendations on the approach to ensure the building is retained are provided.
Design and Access Statement	The document explains the background to the proposals and sets out in detail the design response and associated justification.
Structural Survey Report	Appraises the current structural condition of Caldwell House, Keepers House and other buildings and examines what potential there would be for rehabilitation.

**ASSESSMENT:**

This application is associated with planning application (2021/0298/TP) which is being presented to the Planning Applications Committee for determination. As a consequence this application also has to be determined by the Planning Applications Committee.

Site Description

Caldwell House and the surrounding estate lies within open countryside, approximately 1km to the southwest of Uplawmoor. The site is located immediately to the north of the B777 road and east of B775 Gleniffer Road, where the site access is located. The site is bounded to the south by the B777, to the west by Gleniffer Road, to the east by Lugton Water and a golf course beyond, and to the north by the Cross Burn. The application site boundary extends to 63.96 hectares. The site is heavily wooded, with a mixture of conifer plantations and deciduous tree groupings. Parts of the site are designated as having ancient woodland status. At present, there is a central area of open land, without trees, which contains the B listed Keeper's House on the southern part of the site. Caldwell House (A listed) is found to the eastern side of the application site, partially separated visually by the sloping topography and mature trees. There is a tarmacked, single width road network through the site, which forms a loop around either side of the central open space and connects to Caldwell House and other peripheral locations within the site. Caldwell House is currently in a derelict state with no roof, windows or internal fixtures and is included on the Buildings at Risk Register for Scotland, maintained by Historic Environment Scotland. It is categorised as being at High Category of Risk. Keeper's House, found in the southern part of the site (B listed) is in a similar condition to Caldwell House.

Proposed Development

Listed Building Consent is sought for the restoration of Caldwell House, Keeper's Cottage and associated works. The proposal includes demolition of more recent extensions to Caldwell House that did not form part of the original architectural plans. The wider impact on the setting of the Listed Buildings as a result of the development of the proposed retirement village is considered within planning application 2021/0298/TP.

The proposals primarily involve various physical alterations to the exterior fabric of the two Listed Buildings. In particular, for A listed Caldwell House, repair and replacement of missing stonework to the original architectural detailing, replacement roof with a slate finish and installation of timber windows and doors. In addition, removal of more modern extensions that detract from the overall appearance and original designs are also proposed. Internally, the proposals include replacing the floors to the original plans, together with stairs and associated work. Caldwell House did not have any original internal features of note, however the applicant is proposing a scheme to match as closely as possible the original concept of the architect Robert Adam. The plans for B listed Keeper's House are to reinstate the building to a single family house. Both buildings are largely derelict at present with no roof, windows or doors.

The proposed use of Caldwell House is to be for assisted living accommodation on the upper floors, with community facilities on the lower ground floor, housing a shop, office, café, meeting room, hairdressers, clinic and ancillary accommodation.

### Assessment

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out the requirements for Listed Building Consent (LBC).

Scottish Planning Policy (SPP) states that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. It also requires that special regard is given to the importance of preserving and enhancing the building. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from work that would adversely affect it. Any development should be designed carefully to preserve or enhance the character of the historic asset. The Interim Guidance on the Principles of Listed Building Consent (April 2019) published by Historic Environment Scotland is a material consideration and reiterates the advice in the SPP.

Historic Environment Scotland (HES) Non-Statutory Guidance - Managing Change in the Historic Environment is also a material consideration and identifies that repair of components on a like-for-like basis is preferable to replacement, as this will best maintain the character and historic fabric of the building. Where works are proposed, documentary research and analysis should inform the proposal.

Policies D14 and D15 of adopted Local Development Plan<sup>2</sup> seek to safeguard the built heritage and ensure that the layout, design, materials, scale, and siting of any development affecting a Listed Building is appropriate to its character and appearance.

The Conservation Plan submitted to support the application identifies Caldwell House as being of international cultural significance. The building was constructed in the 1770s and was designed by architect Robert Adam who is one of Scotland's most important architects. Caldwell House is one of a series of houses designed by Robert Adam in a unique architectural style (castle style) that he is credited with developing, with Caldwell House a relatively early example of this style. Some aspects of the building are deemed to be of outstanding cultural significance, in particular the main frontage to the north. Other parts of the building and the landscape of the estate are of considerable and moderate significance.

The proposed plans for Caldwell House are to reinstate the buildings to its original design as far as possible. This includes replacing lost features, stone repair, re-roofing with slate, new timber windows and doors to match the original design and internal fit out to include retention of any remaining features such as staircases and an internal design to be sympathetic to the original drawings of Robert Adam. Demolition of any features that detract from the original aesthetic and design concept are also proposed. Historic Environment Scotland (HES) have provided detailed comments on the proposed works to Caldwell House and Keeper's House and are supportive of the principles and design approach to reinstate to the original condition and intention of Robert Adam, as much as possible. Detailed comments on specific aspects relating to details of finishes have been provided by HES and these can be conditioned. In terms of the proposed design approach, it is noted that the applicant has provided a comprehensive analysis of the importance

of the building and a detailed design response which respect the character of the building and will provide for a high quality restoration of Caldwell House and Keeper's House, thereby retaining a nationally important historic asset.

The proposals for Caldwell House include buildings immediately to the east and west of the main building, linked by a new stone wall feature (described as courtyard housing). These single storey residential properties are designed in a contemporary manner with shallow, mono pitched roofs to minimise the scale of the development. The proposed materials for the courtyard houses are a mixture of zinc cladding, render and grey aluminium framed windows and doors. The rationale and design concept for these building is that there were previous extensions in these locations and also that traditionally country houses were built with some service accommodation either side of the main house. The deliberate choice of modern materials to contrast with the traditional main house is considered to be an appropriate design response and one that Historic Environment Scotland (HES) support, subject to conditions.

The proposals for Keeper's House are to clean and repair the existing stone base to original state, replace remaining render with lime harl, new painted timber sash and case windows, new cast iron rainwater goods to match existing, new chimney pots to match existing and new reclaimed slate roof.

The wider proposal for enabling development at the site to facilitate the restoration of Caldwell House is supported in principle and the detailed assessment of this aspect is contained within the accompanying report for 2021/0298/TP. The applicant has committed to an ambitious restoration scheme which will fully restore both buildings to appropriate uses and with the use of materials that are considered to conserve the quality of these buildings. The adjacent courtyard accommodation is considered to be an appropriate design response that does not detract from the appearance or integrity of Caldwell House. It is noted that the applicant has worked with HES to achieve a scheme that is of high quality and is supported by HES, subject to conditions on relatively minor detailing relating to windows and the design of a masonry arch feature.

Taking all of the above into account, it is considered the proposed works to A listed Caldwell House and B listed Keeper's House will not adversely impact on the architectural or historical interest of the buildings, and that the application for Listed Building Consent is recommended for approval subject to conditions.

**RECOMMENDATION:** Approve Subject to Conditions

**PLANNING OBLIGATIONS:** None.

**CONDITION(S):**

1. Notwithstanding the plans hereby approved and prior to the commencement of development, revised plans shall be submitted to and approved in writing by the planning authority showing the masonry detailing (front and back) of arches in the screen wall that faces the moat (as currently shown on drawing P\_521\_A). For the avoidance of doubt these should be traditionally constructed masonry arches.

Reason: To ensure that the development is construction in accordance with the conservation plan and in compliance with HES requirements.

2. Notwithstanding the plans hereby approved and prior to the start of development, detailed drawings and specifications of the proposed windows to be installed in Caldwell House and Keeper's House shall be submitted to and approved in writing by the planning authority.

Reason: To ensure that the development is constructed in accordance with the Conservation Plan and in compliance with HES requirements.

3. Stone repairs shall be carried out using natural stone to match the original stonework in every respect including colour, geological character, texture and coursing pattern. Development shall not commence until a petrographic analysis of the original stonework and the proposed replacement stone together with samples have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

4. Development shall not commence until samples of materials to be used on all external surfaces of the buildings and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

5. For the avoidance of doubt all repointing of the exterior stonework shall match the original pointing in every respect including mix of materials, colour and thickness.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

**ADDITIONAL NOTES:**

Attention is drawn to Section 7 (2) (b) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the planning authority) until you have given notice to Historic Environment Scotland, Longmore House, Salisbury Place, Edinburgh, EH9 1SH.

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

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**ADDED VALUE:**

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Development Plan policies.

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Ms Julie Nicol on 0141 577 3001.

Ref. No.: 2021/0334/LBC

DATE: 18th August 2022

**DIRECTOR OF ENVIRONMENT**

**Reference: 2021/0334/LBC**

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