

**Report To:** The Planning Board

**Date:** 7th June 2017

**Report By:** Head of Regeneration and Planning

**Report No:** 17/0031/IC  
Plan 06/17

**Local Application  
Development**

**Contact  
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**Subject:** The erection of 20 dwellings and associated works at  
Plot 1-20, Mallard Crescent and Merlin Lane, Greenock.



## **SUMMARY**

- The proposal presents no conflict with the Inverclyde Development Plan.
- One neutral representation and nine objections and have been received including raising concern over traffic, loss of open space and the type of housing proposed.
- Consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=OKP2QGIMKB600>

## **SITE DESCRIPTION**

The application site consists of a 0.53 hectare area of land, which lies between established housing at Mallard Crescent and Merlin Lane, Greenock. The site was previously occupied by five flatted blocks which were demolished in 2012 and currently is laid to grass interspersed with the remnants of tarmac pathways, parking and bin store areas. The topography is generally flat on the footprint of the previous buildings, with a gentle decline north-eastwards from the top of Mallard Crescent down to Merlin Lane. An area of open space/playing field is located to the immediate north-west of the site, while the south east boundary is formed in part by a road from the Mallard Crescent end changing to a wide footpath with mature landscaping beyond linking to Merlin Lane.

## **PROPOSAL**

Planning permission is sought for the erection of a mix of 20 terraced and semi-detached buildings, providing six 2 bed and fourteen 3 bedroom family houses. The buildings will be positioned in a linear pattern, on a stepped elevation, fronting the footpath on the south west site boundary. The road and footpath that link Mallard Crescent and Merlin Lane will be upgraded to a road for vehicles, specified to adoptable standard at 5.5 metre wide with 2 metre wide footways on either side. The proposed houses will each be two storey with a 6 metre front and 9 metre rear garden area. In-curtilage parking will be provided, with one parking space per house. Seven associated visitor parking spaces are proposed.

The proposed dwellinghouses are of contemporary design, predominately finished in facing red coloured brick together with lightweight dark coloured metal/composite cladding panels/render, grey coloured uPVC windows and doors and dark grey concrete roof tiles.

The boundary treatments will consist of a mix of brick wall and steel railing next to public paths, 1.8m high timber rear garden fencing between the rear of properties and 1 metre high brick wall to the front separating houses and 1.8m high brick walls around the rear development boundaries. Soft landscaping is proposed between the end of the houses at Mallard Crescent as well as new turfed grass areas with paths/patios to the front and rear of the properties. The existing trees within the site will be retained, as well as existing parking areas for visitor parking. Bin store areas will be located within the curtilage of each property.

## **DEVELOPMENT PLAN POLICIES**

### **Policy RES1 - Safeguarding the Character and Amenity of Residential Areas**

The character and amenity of residential areas, identified on the Proposals Map, will be safeguarded and where practicable, enhanced. Proposals for new residential development will be assessed against and have to satisfy the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) details of proposals for landscaping;
- (c) proposals for the retention of existing landscape or townscape features of value on the site;
- (d) accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement;
- (e) provision of adequate services; and
- (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy RES2 - Development on Urban Brownfield Sites**

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

- (a) an alternative use of greater priority or significant social and/or economic/employment benefit is identified; or

- (b) an alternative use is identified through an agreed area renewal initiative (refer Policy SDS7); or
- (c) it would result in an unacceptable loss of designated and locally valued open space (refer Policy ENV4).

Note: the designated renewal areas referred to are the "Major Areas of Change" and "Areas of Potential Change" depicted on the Proposals Map.

### **Policy SDS5 Development within the Urban Area**

There will be a preference for all appropriate new development to be located on previously used (brownfield) land within the urban settlements, as identified on the Proposals Map.

### **Policy TRA2 - Sustainable Access**

New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to submit a transport assessment and a travel plan, if appropriate. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs, and have regard to the Council's Core Paths Plan, where appropriate. Where development occurs which makes it necessary to close Core Paths and other safeguarded routes, provision of an alternative route will be required.

The Council will also support and seek to complete the Inverclyde Coastal Route with developers required to make appropriate provision when submitting planning applications. National Routes 75 and 753 of the National Cycle Network will also be protected.

### **Policy INF5 - Sustainable Urban Drainage Systems**

Proposed new development should be drained by appropriate Sustainable Urban Drainage Systems (SUDS) designed in accordance with the CIRIA SUDS Manual (C697) and, where the scheme is to be adopted by Scottish Water, the Sewers for Scotland Manual Second Edition. Where the scheme is not to be adopted by Scottish Water, the developer should indicate how the scheme will be maintained in the long term.

Where more than one development drains into the same catchment a co-ordinated approach to SUDS provision should be taken where practicable.

### **Policy ENV4 - Safeguarding and Enhancing Open Space**

Inverclyde Council will support, safeguard and where practicable, enhance:

- (a) areas identified as 'Open Space' on the Proposals Map; and
- (b) other areas of open space of value in terms of their amenity to their surroundings and to the community, and their function as wildlife corridors and Green Network links.

### **Planning Application Advice Notes**

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

## **CONSULTATIONS**

### **Head of Environmental and Commercial Services**

- Parking should be provided in accordance with the National Guidelines, which for amenity housing is 0.5 spaces per dwelling +0.3 spaces visitor parking per dwelling. The proposed development has 1 parking space per property, which is acceptable. Seven visitor parking spaces have been provided.

- The footways proposed should be a minimum width of 2.0m and shall be provided along the length of the development to adjacent properties.
- The road should be a minimum of 5.5m throughout the proposed development.
- Traffic calming shall be provided along the length of the development fronting the road.
- Driveways to be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road. Driveways shall be a minimum of 3.0m by 5.5m and the gradient shall not exceed 10%.
- The developer has indicated there will be provisions for SUDS as a means of managing surface water. All surface water during and after development is to be maintained within the site boundary.
- The site does not reside in an area vulnerable to flood risk according to the SEPA maps.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on the 24<sup>th</sup> February 2017 and on 21st April 2017 as there are no premises on neighbouring land.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

The application was the subject of neighbour notification. Ten representations were received, nine of which object to the proposal and one neutral comment querying the proposed traffic flow.

A summary of the concerns raised within the objections are listed below:

- The proposal will change the character of this quiet area with no through traffic.
- The proposal will cause the loss of the existing open space, which is greatly used and valued by neighbouring residents.
- Vacant ground will be created between the existing properties and new development, which may be used a shortcut, making existing properties vulnerable.
- The proposal may impact the view across the valley from existing housing.
- The adoption of the road between Mallard Crescent and Merlin Lane may cause additional congestion and parking problems, which is apparent at Mallard Crescent due to school traffic.
- The proposal may cause loss of parking at Merlin Lane. On-street parking may raise the cost of car insurance.
- The proposal may reduce the amenity and value of existing properties in the vicinity.
- On demolition of previous flatted blocks it was indicated that there were no plans to rebuild on this site as the land was a bog; this proposal has come out of the blue.
- Previous development caused unacceptable noise and problems with the police.
- This area is at risk of flooding. The land at the top of the hill would be a more appropriate location.
- Street lighting is poor in this area.
- The site is more suited to a complex or apartments for older people as it is flat and safe for walking.
- The development will result in overcrowding.
- The applicant may not own all the site.

The representations will be addressed in the assessment of the application.

## **ASSESSMENT**

The material considerations in determination of this application are the Inverclyde Local Development Plan, Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development", the visual appearance of the proposed development, the impact on the existing pattern of development, streetscape, neighbouring

amenity, consultation responses and representations received. The determining factor is does this proposal comply with the Development Plan?

The Local Development Plan locates the site within a residential area under Policy RES1, with an area of open space to the immediate north of site designated in the Local Development Plan under Policy ENV4. As the proposed houses are to be located on the site of a previous residential development it follows there is compliance with the general principle of Policy RES1.

While I note public comment that this will result in the loss of open space, it does not form part of the adjacent open space site which is identified as such in the Local Development Plan. As a vacant previously developed site this is an example of urban brownfield land in a residential area on which Policy RES2 supports residential development where it accords with Policy RES1.



It rests to consider if the relevant criteria of Policy RES1 can be met. Criterion (a) requires compatibility with the character and amenity of the area, (b) details of proposals for landscaping, (c) proposals for the retention of existing landscape or townscape features of value on the site and (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

The new houses integrate and extend upon the existing layout and style of development which exists on Mallard Crescent; they are of a modern, contemporary design yet, complimentary to the existing housing stock in terms of style, colour and use of materials. The stepped elevations, two storey design, landscaping proposals and retention of existing trees will enhance the existing landscape features, vistas and topography of the site, which is valued by the neighbouring residents. Overall, I consider the proposal complies with criterion (a); the wider visual impact of development on the site and its surroundings is acceptable and I am also satisfied that the layout of the development will not result in any adverse impact on the amenity of existing residents.

PAAN3 advises that open space should contribute to placemaking; it provides guidance on the required levels of open space and private garden ground that should be included in new residential developments. The minimum requirements for garden space provision around the individual dwellings and distance to boundaries have been met within the proposed layout. These are similar to garden sizes in the area. The current layout provides a central area of open space to the north of site which will link through to the development through pathways, therefore adequate open space is provided in accordance with PAAN3. This also meets the requirements of Policy ENV4. Considering play provision, the scale of this development alone would not justify a fully equipped play area.

With regard to landscaping, the property boundaries are considered acceptable. To the immediate north of the development a central area of open/vacant space exists (which is in the ownership of the applicant). This may be addressed as part of the landscaping proposals to

ensure the appearance and maintenance of the open space is suitably addressed and can be dealt with by way of planning condition. Overall I consider criterion (c) is met.

Criterion (d) requires accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement. The position and layout of the houses and associated parking will also provide a strengthened active frontage with an integrated and safer movement for both pedestrians and vehicles on Mallard Crescent and Merlin Lane, which is supported by the Scottish Government's Designing Streets Policy Statement. In terms of Policy TRA2, the site is well served by buses, with the nearest bus stop located immediately to the south-west of the site on Mallard Crescent, thus there are no specific requirements for additional public transport. The upgrading and retention of the existing paths throughout the site is welcomed in ensuring it is easily accessed by walking and cycling. The adoption of the road to the south will also establish a new through route, connecting the existing housing estates, encouraging an efficient flow of traffic and reinforcing a looped road network, which is common within the surrounding vicinity. While I note the concern in representations over traffic volume and parking as a consequence of this development, the Head of Environmental and Commercial Services is satisfied that the development complies with both local and national design standards, and adoption requirements shall ensure that provision of parking and street lighting is appropriate. I consider criterion (d) is complied with.



Finally criterion (e) requires the provision of adequate services. Within the urban area on a previously developed site, service provision is on hand, although I note the public representation on flooding. The Head of Environmental and Commercial Services has noted there will be provisions for SUDS as a means of managing surface water. The drainage for managing surface water should be detailed and calculations presented for discharge rates. In accordance with Inverclyde Council's "Flood Risk Assessment and Drainage Impact Assessment: Planning Guidance for Developers" applicants complete Appendix 3 Assessment Compliance Certificate as part of their drainage strategy. All surface water during and after development is to be maintained within the site boundary; this shall be addressed by condition. The site does not reside in an area vulnerable to flood risk according to the SEPA maps. I am satisfied that criterion (e) and Policy INF5 are complied with.

In concluding that the proposal complies with the Inverclyde Local Development Plan, it rests to consider if the public representations not already considered raise matters that merit determining the application contrary to the Development Plan. Issues of impact on the character of the area, traffic, parking, street lighting, open space and flooding have been considered previously. There is nothing to indicate that this development will have any direct impact on the security of nearby housing or car insurance premiums, and the loss of views from private property is not a justification for refusing planning permission, as is the potential conduct of future residents.

In conclusion, the proposal presents no conflict with the provisions of the Inverclyde Local Development Plan and there are no material considerations that indicate a decision should be taken contrary to the Plan.

## **RECOMMENDATION**

That the application be granted subject to the following conditions:

1. Prior to the commencement of work on site full details of a landscaping scheme and programme for completion shall be submitted to and approved by the Planning Authority. Development shall then proceed as approved unless any alternative agreed in writing by the Planning Authority. For the avoidance of doubt, the landscaping scheme shall include the central area north of the site, within the ownership of the applicant, outlined in blue on approved Location Plan drawing 9273-P-L(90)001A Rev A.
2. No development shall commence until full details of all surface water drainage provision within the application site (is provided. All surface water during and after development is to be maintained within the site boundary.
3. Driveways shall be a minimum of 3.0 metres by 5.5 metres and the gradient shall not exceed 10%. Driveways shall be paved for a minimum distance of 2 metres to prevent loose driveway material being spilled onto the road.
4. Traffic calming shall be provided along the length of the road fronting the development. The traffic calming shall be agreed with the Roads Authority.
5. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until treatment is completed as per the methodology and treatment statement. Any variation to the treatment methodologies will require subsequent approval by the Planning Authority prior to development starting on site.
6. That the development shall not commence until an environmental investigation and risk assessment, including any necessary remediation strategy with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with acceptable codes of practice. The remediation strategy shall include verification/validation methodologies. This may be incorporated as part of a ground condition report and should include an appraisal of options.
7. That on completion of remediation and verification/validation works and prior to the site being occupied, the developer shall submit a Completion Report for approval, in writing by the Planning Authority, confirming that the works have been carried out in accordance with the remediation strategy. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of imported/disposed/reused materials relevant to the site.
8. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority within one week. Consequential amendments to the Remediation Strategy shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
9. The use of the development shall not commence until the applicant has submitted a completion report for approval, in writing by the Planning Authority detailing all fill or landscaping material imported onto the site. This report shall contain information of the

materials source, volume, intended use and verification of chemical quality (including soil-leachate and organic content etc.) with plans delineating placement and thickness.

10. No development shall commence until full details of all boundary treatment have been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed in accordance with the approved boundary treatments, unless the Planning Authority gives its prior written approval to any alternatives.
11. No development shall commence until samples of all external finishing materials have been submitted to and approved in writing by the Planning Authority: development thereafter shall proceed in accordance with the approved materials, unless the Planning Authority gives its prior written approval to any alternatives.

Reasons:

1. To ensure the provision of an appropriate landscaping scheme for the vacant land located to the north of the application site.
2. To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment and flooding from occurring both within and outwith this application site, is provided timeously.
3. In the interests of road safety, and to ensure that the works involved comply with applicable standards.
4. To enable pedestrians to keep outwith the public road and the path of oncoming traffic; in the interests of road safety and to comply with applicable standards.
5. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
6. To satisfactorily address potential contamination issues in the interests of environmental safety.
7. To provide verification that remediation has been carried out to the Authority's satisfaction.
8. To ensure that all contamination issues are recorded and dealt with appropriately.
9. To protect receptors from the harmful effects of imported contamination.
10. To ensure the provision of a quality boundary treatment regime.
11. To ensure a choice of external finishes sympathetic to this part of Greenock

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