

LOCAL REVIEW BODY

7 FEBRUARY 2018

CONTINUED PLANNING APPLICATION FOR REVIEW

MR S LAW

CONSTRUCTION OF TWO DWELLINGHOUSES:

LAND BETWEEN 34 AND 36 DUNVEGAN AVENUE, GOUROCK (17/0134/IC)

RESUME CONSIDERATION OF A REQUEST FOR REVIEW OF REFUSAL OF PLANNING PERMISSION WHICH THE LOCAL REVIEW BODY AT THE MEETING HELD ON 6 DECEMBER 2017 DECIDED TO CONTINUE TO SEEK INFORMATION FROM THE APPLICANT BY MEANS OF A WRITTEN SUBMISSION TO PROVIDE ALL INFORMATION ON ISSUE 9.5 "HOUSING SITES NOT INCLUDED IN THE PROPOSED PLAN: URBAN SITES: BARR'S BRAE, PORT GLASGOW; DUNVEGAN AVENUE, GOUROCK; FMR KILMACOLM INSTITUTE, THE CROSS, KILMACOLM; AND GILLBURN ROAD, KILMACOLM", AS SET OUT IN THE REPORT TO INVERCLYDE COUNCIL: INVERCLYDE LOCAL DEVELOPMENT PLAN EXAMINATION JUNE 2014, BEING PAGES 132 – 138 (BOTH INCLUSIVE) OF THE REPORT

Contents (please refer to agenda for 6 December 2017 meeting for items 1-13)

- 1. Planning Application dated 28 April 2017 together with plans**
- 2. Appointed Officer's Site Photographs together with location plan**
- 3. Appointed Officer's Report of Handling dated 22 June 2017**
- 4. Planning Application Advice Note No. 3 – Private and Public Open Space Provision in New Residential Development**
- 5. Applicant's Supporting Statement in relation to planning application**
- 6. Representations in relation to planning application**
- 7. Decision Notice dated 26 June 2017 issued by Head of Regeneration & Planning**
- 8. Notice of Review form dated 25 September 2017 from Quigley Architects together with Planning Appeal document.**

Members are asked to note that the following plans have been circulated separately:-

- Production 8.46 – Quigley Architects drawing number 1620/AL(0)02 Rev.A**
- Production 8.47 - Quigley Architects drawing number 1620/AL(0)03**
- Production 8.48 - Quigley Architects drawing number 1620/AL(0)04**
- Production 8.49 - Quigley Architects drawing number 1620/AL(0)05**
- Production 8.50 – Quigley Architects drawing number 1620/AL(0)06 Rev.A**
- Production 8.51 - Quigley Architects drawing number 1620/AL(0)07 Rev.A**
- Production 8.52 - Quigley Architects drawing number 1620/AL(0)08 Rev.A**
- Production 8.53 - Quigley Architects drawing number 1620/AL(0)09 Rev.A**
- Production 8.54 - Quigley Architects drawing number 1620/AL(0)10 Rev.A**
- Production 8.55 - Quigley Architects drawing number 1620/AL(0)11 Rev.A**

9. Letter dated 11 October 2017 from Quigley Architects in relation to new matters
10. Email dated 17 October 2017 from Legal & Property Services to Quigley Architects in relation to new matters
11. Further representations submitted following receipt of Notice of Review
12. Letter dated 2 November 2017 from Quigley Architects in response to further representations
13. Suggested conditions should planning permission be granted on review
14. Production 8.43, Inverclyde Local Review Body Decision Notice dated 12 April 2017, and Production 8.44, Inverclyde Local Development Plan Examination dated 11 June 2011, which the Local Review Body at the meeting held on 6 December 2017 decided to have regard to
15. Email dated 18 December 2017 from Quigley Architects providing information by means of a written submission requested by Local Review Body at its meeting on 6 December 2017

14. PRODUCTION 8.43, INVERCLYDE LOCAL REVIEW BODY DECISION NOTICE DATED 12 APRIL 2017, AND PRODUCTION 8.44, INVERCLYDE LOCAL DEVELOPMENT PLAN EXAMINATION DATED 11 JUNE 2011, WHICH THE LOCAL REVIEW BODY AT THE MEETING HELD ON 6 DECEMBER 2017 AGREED TO CONSIDER

Inverclyde Local Review Body

Our Ref: 16/0319/IC

REVIEW DECISION NOTICE

Decision by Inverclyde Local Review Body (the ILRB)

- Site address: Vacant Site, Dunvegan Avenue, Gourrock
 - Application for Review by Mr V Canata against the decision by an appointed officer of Inverclyde Council
 - Application Ref: 16/0319/IC
 - Application Drawings: Drawing No. 2139_D.100 – proposed plans and elevation
Drawing No. 2139_D.101 – proposed block plan and street elevation
 - Date of Decision Notice: 12 April 2017
-

Decision

The ILRB reverses the determination reviewed by it and grants Planning Permission, subject to the conditions listed below. Attention is also drawn to the Advisory Notice at the end of this Review Decision Notice.

1. Introduction

- 1.1 This Notice constitutes the formal decision notice of the ILRB as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The above application for planning permission was considered by the ILRB at a meeting held on 5 April 2017. The Review Body was constituted by Councillors K Brooks, G Dorrian, V Jones, T Loughran, I Nelson, L Rebecchi and D Wilson (Chair).

2. Proposal

- 2.1 The application proposal is for the construction of a two storey, six apartment house with a monopitch roof with a free-standing carport with an asymmetric pitch roof to the north east, within the side garden. The house and carport are set back approximately 2m and 1.3m respectively from the footway heel on Dunvegan Avenue. There is a first floor balcony on the south west (side) elevation of the house with mature trees between the house and the neighbouring house at 11 Dunvegan Avenue. The proposed finishing materials are concrete roof tiles, two contrasting colours of facing brick, timber effect cladding and uPVC windows. The carport's external finishes match those of the house.

3. Preliminaries

- 3.1 The ILRB members were provided with copies of the following:
 - (i) Planning Application and plans dated 25 November 2016;
 - (ii) Appointed Officer's Site Photographs;

- (iii) Appointed Officer's Report of Handling dated 27 January 2017;
- (iv) Representations in relation to planning application;
- (v) Decision Notice dated 30 January 2017;
- (vi) Letter dated 6 February 2017 from Mr Canata enclosing Notice of Review Form and supporting documentation;
- (vii) Suggested conditions should planning permission be granted on review.

4. **Reasons**

- 4.1 The determining issues in this review are (a) (i) the distances the proposed house and car port would be set back from the road and (ii) the height of the roof of the proposed house in relation to the other properties in the vicinity and (b) the impact of the proposal on open space and woodland habitat. During the course of discussion, the Planning Adviser confirmed that the right to a view is not a planning consideration.
- 4.2 Having regard to the whole circumstances, the ILRB having considered the matter afresh and, having taken into account the Inverclyde Local Development Plan and all relevant material and planning considerations, determined that the review application should be upheld.
- 4.3 It was also agreed by the ILRB that the conditions listed at paragraph 5 below be placed on the planning permission for the reasons specified.

5 **Conditions**

- 1. No development shall commence until details of a piped surface system with a discharge rate no higher than greenfield runoff rate has been submitted to and approved in writing by the Planning Authority, development thereafter shall proceed in accordance with the approved piped surface water system.
- 2. No development shall commence until samples of all external materials have been submitted to and approved in writing by the Planning Authority, development thereafter shall proceed utilising the approved materials unless the Planning Authority gives its prior written approval to any alternatives.
- 3. The tree planting detailed in section 4.8 of the Donald Rodger Associates Ltd Arboricultural Consultants Tree Survey and Arboricultural Implication Study, dated November 2016, shall be completed in the first planting season following completion of the dwellinghouse hereby approved and any specimens which in the subsequent 5 years die, become diseased or are damaged shall be replaced in the next planting season with a similar specimen, unless the Planning Authority gives its prior written approval to any alternatives.

Reason:

- 1. To prevent harm from flooding.
- 2. To ensure a continuity of external finishes in this part of Gourrock.
- 3. To ensure the continued woodland character of the site.

Signed _____

Head of Legal & Property Services
Inverclyde Council
Municipal Buildings
Greenock
PA15 1LX

<p>Issue 9(.5)</p>	<p>Housing Sites Not Included in the Proposed Plan: Urban Sites: Dunvegan Avenue, Gourrock Barr's Brae, Port Glasgow Gillburn Road, Kilmacolm Former Kilmacolm Institute, The Cross, Kilmacolm</p>	
<p>Development plan reference:</p>	<p>Chapter 6, Policy RES3, Schedule 6.1</p>	<p>Reporter: Richard Bowden Stephen Hall</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Mr Shaun Law (16) Ms Catherine Harbon (19) Mr David Eagle (24) Mr John Watson (46) Ms Katrin Eagle (48) Mr Timoney (59) Kilmacolm Civic Trust (63) Kilmacolm Community Council (71)</p>		
<p>Provision of the development plan to which the issue relates:</p>	<p>Housing sites not included in the Plan at: Dunvegan Avenue, Gourrock Barr's Brae, Port Glasgow Gillburn Road, Kilmacolm Former Kilmacolm Institute, The Cross, Kilmacolm</p>	
<p>Planning authority's summary of the representation(s):</p>		
<p>Dunvegan Avenue, Gourrock</p> <p><u>Mr Shaun Law (16)</u></p> <p>The site is currently a vacant area of ground in Dunvegan Avenue, Gourrock. The site has been refused planning permission in principle twice in the past four years, once for three dwellings and once for two, and both on the basis that the loss of open space would be detrimental to the area. The site was originally proposed as an area of public open space when the houses were constructed in 1977, although no details were submitted, nor conditioned. The site has never been laid out as an area of open space, nor was a maintenance or management agreement sought by the Council. It is understood that Inverclyde Council cut the grass on this land until recently, but that practice has now ceased.</p> <p>The site provides no useful value to the community, having no play facilities and not being maintained. Since acquiring the site in 2009, the owner has been served a notice by the Council requiring the proper maintenance of the land. The retention of this site as public open space is an anomaly on the part of the Planning Authority, and the public have no legal rights to enter onto the land. It is therefore absurd for the Planning Authority to indicate that the site cannot be developed as it "would remove an area where children can play safely."</p>		

inclusion as a Residential Development Opportunity site in the LDP. The site is however covered by policy RES1, which seeks to safeguard the character and amenity of residential areas, in the LDP and would, in principle, be appropriate for a residential development. Assessment against the relevant criteria in the policy, including compatibility with the character and amenity of the area, would be required.

Recommend no modifications.

Former Kilmacolm Institute, The Cross, Kilmacolm

Background – Inverclyde Council, the owners of the property, have been marketing this site since 2010, and have very recently agreed to sell the property for development. No planning applications have yet been received.

Ms Catherine Harbon (19)

Mr David Eagle (24)

Mr John Watson (46)

Ms Katrin Eagle (48)

Kilmacolm Community Council (71)

The former Institute site is within the village centre and has been marketed unsuccessfully in the past. It was not included in Schedule 6.1 of the LDP as a Residential Development Opportunity site because of the uncertainty that it would be developed within the plan period. The site should therefore be considered as windfall, however if the Reporter is so minded, this development opportunity could be included in Schedule 6.1.

Reporter's conclusions:

Dunvegan Avenue, Gourock

1. This relatively flat, small rectangular plot of undeveloped land is surrounded by detached villas developed in the late 1970s that now form part of a larger residential housing estate on the hillside above Gourock. I note that whilst the site in question was originally proposed as an area of open space it was never laid out for that purpose and the council no longer maintains it even as a simple grassed area. Today the site is a neglected, unmanaged area of open ground – and appears to be not in use for any purpose as each of the surrounding houses has its own private garden area.

2. In this context the planning authority acknowledges that the principle of residential development on this vacant site would be acceptable and I accord with that view. Attention is drawn, however, by the council to the fact that the number of houses that could be accommodated on the site in question falls below the thresholds set out in government guidance for inclusion in housing land audits. That also applies to the minimum size for residential development opportunities to be listed in Schedule 6.1 and shown on the development plan settlement map.

3. On this basis I find that the planning authority is fully justified in not identifying this particular site as a housing development opportunity site in the plan. I also conclude that the planning authority is correct in stating that, given the limited scale of the site, any proposal for its residential development should be considered on its merits through the lodging and processing of a planning application.

Former Kilmacolm Institute, The Cross, Kilmacolm

- Ms Catherine Harbon (19)
- Mr David Eagle (24)
- Mr John Watson (46)
- Ms Katrin Eagle (48)
- Kilmacolm Community Council (71)

The old institute building on the corner of Lochwinnoch Road and Port Glasgow Road has been omitted from the LDP. It was owned by Inverclyde Council, sold to a developer and 10/11 dwellings are expected to be developed. The timing and precise form of the redevelopment remains uncertain, but it should be taken into consideration, as it accounts for a major proportion of the suggested housing – proposed number of dwellings in the Renfrewshire SHM over the duration of the LDP is 120. Ensuring that this proposed development includes affordable housing would eliminate the need for greenbelt release. Although the site is relatively small, the HLS Audit, paragraph 7 (reference??) refers to the different approach taken for small sites in Kilmacolm and Quarriers Village due to each site, however small, being of greater significance in these settlements.

*Note: detailed representations made in relation to the Kilmacolm Institute as a site for affordable housing are covered in **Issue 6**.*

Modifications sought by those submitting representations:

Dunvegan Avenue, Gourock

- Mr Shaun Law (16)

The area of ground at Dunvegan Avenue, Gourock should be included within Policy RES3 as a Residential Development Opportunity and included in Schedule 6.1 as a site to provide two residential units.

Barr's Brae, Port Glasgow

- Mr Timoney (59)

The site should be included as a housing allocation in the LDP.

Gillburn Road, Kilmacolm

- Kilmacolm Civic Trust (63)

This site should be added to the Plan.

Former Kilmacolm Institute, The Cross, Kilmacolm

- Ms Catherine Harbon (19)
- Mr David Eagle (24)
- Mr John Watson (46)
- Ms Katrin Eagle (48)
- Kilmacolm Community Council (71)

the housing stock should be reviewed and the site should be counted and scored against the total of 120 new dwellings in the HLS (refer also to **Issues 5 and 6**).

Summary of responses (including reasons) by planning authority:

Dunvegan Avenue, Gourrock

Background – a planning application for 1 house was refused planning permission in September 2000, an outline application for 3 houses was refused in March 2009 and an application in principle was refused for 2 houses in November 2010 (CD63).

Mr Shaun Law (16)

The capacity of the site is below the PAN 02/2010 (CD22) threshold size for inclusion in a land audit and would not normally be incorporated into the list of residential development opportunities identified in Schedule 6.1. The site is within a residential policy area in the LDP, being covered by Policy RES1, which seeks to safeguard the character and amenity of residential areas. The principle of housing on the site is therefore acceptable, subject to the criteria laid out in the policy, including the compatibility with the character and amenity of the area. While the previous planning applications for this site have been refused on loss of open space and amenity grounds, any future consideration of development on the site should correctly be addressed through a planning application.

Recommend no modifications.

Barr's Brae, Port Glasgow

Background – planning permission in principle was refused in October 2011 and dismissed on appeal in February 2012 (CD64). Another application was refused in March 2013 and dismissed at the Local Review Body (LRB) in August 2013 (CD64). The most recent planning decision was upheld at the LRB on the basis of the character and amenity of the existing residential area, the land being identified as open space on the Local Plan and the adverse impact on the cycle track.

Mr Timoney (59)

The site is identified as open space in the adopted Local Plan, and following the Open Space Review for the LDP (CD42), it remains as an area considered to be of value to the community for its amenity and its function as a wildlife corridor. The impact of a housing development at this location would be detrimental to the visual amenity of nearby residents and to users of the adjoining cycle path. Both planning applications were recently dismissed at appeal and it is considered by the Council that nothing has changed in the interim.

In conclusion, the Council does not propose to include the site at Barr's Brae, Port Glasgow in Schedule 6.1 of the LDP.

Gillburn Road, Kilmacolm

Kilmacolm Civic Trust (63)

The site has not been submitted to the Council by its owner or an interested developer for

15. EMAIL DATED 18 DECEMBER 2017 FROM QUIGLEY ARCHITECTS PROVIDING INFORMATION BY MEANS OF A WRITTEN SUBMISSION REQUESTED BY LOCAL REVIEW BODY AT ITS MEETING ON 6 DECEMBER 2017

Rona McGhee

From: heather@quigleyarchitects.co.uk
Sent: 18 December 2017 10:09
To: Rona McGhee
Subject: 1620.Council.18.12.17(1)
Attachments: Signature.jpg; ATT00001.htm; gq reg 15 letter.pdf; ATT00002.htm; Pages 132 - 138.pdf; ATT00003.htm; Inverclyde LDP Report of Examination June 2014.pdf; ATT00004.htm

Dear Rhona,

34 - 36 Dunvegan Avenue, Gourrock

In reference to the above project and your recent letter dated 7th December 2017.

Please find attached the extract from the Report to Inverclyde Council: Inverclyde Local Development Plan Examination June 2014 pages 132 - 138 inclusive as requested, as well as the report in its entirety.

If you require any further information, please do not hesitate to contact us.

Yours sincerely,

<p>Issue 9(.5)</p>	<p>Housing Sites Not Included in the Proposed Plan: Urban Sites: Dunvegan Avenue, Gourock Barr's Brae, Port Glasgow Gillburn Road, Kilmacolm Former Kilmacolm Institute, The Cross, Kilmacolm</p>	
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play safely”.

Barr’s Brae, Port Glasgow

Mr Timoney (59)

The site has been the subject of two separate planning applications, the first dismissed at appeal in February 2012, and the second currently subject to a local review by the Council.

The site is considered to be an effective housing site and should be included as a housing allocation in the LDP. The reasons for the dismissal of the appeal on this site in February 2012, have been addressed by the most recent scheme through the reduction of the visual impact, and represents a materially different scheme to the one considered by the reporter. However the application was still refused planning permission on the basis of the loss of an area of open space and the perceived adverse visual impact the proposed development might have on a Sustrans cycle way. The planning case officer was satisfied by all other technical matters.

The attached Planning Statement explains the background, context and concept of the proposal. The 14 dwellings shown on the application are indicative only, as is the number of storeys.

The land is defined as open space, but not used as such. It is unmanaged scrubland with little or no amenity interest. The owner is willing to give ownership of the area adjoining Dougliehill Terrace to the residents for communal open space or private rear gardens, in addition to providing a financial contribution for future management.

It is accepted that the new development will be visible from the cycle way, but is doubtful whether users will consider that their experience has been significantly impaired. The impact for cyclists will be limited, and walkers will have a view filtered by retained landscape.

The site is considered to be effective in relation to the seven requirements set out in the PAN on Affordable Housing and Housing Land Audits (2/2010). There is market interest in this site, and development could be delivered in the near future assisting Inverclyde to meet its five year housing land requirement.

Gillburn Road, Kilmacolm

Kilmacolm Civic Trust (63)

The plot of land at the intersection of Moss Lane and Gillburn Road would be an ideal site for meeting the affordable housing requirement for small households of 35 years plus and 60 years plus (for downsizing).

Former Kilmacolm Institute, The Cross, Kilmacolm

- Ms Catherine Harbon (19)
- Mr David Eagle (24)
- Mr John Watson (46)
- Ms Katrin Eagle (48)
- Kilmacolm Community Council (71)

The old institute building on the corner of Lochwinnoch Road and Port Glasgow Road has been omitted from the LDP. It was owned by Inverclyde Council, sold to a developer and 10/11 dwellings are expected to be developed. The timing and precise form of the redevelopment remains uncertain, but it should be taken into consideration, as it accounts for a major proportion of the suggested housing – proposed number of dwellings in the Renfrewshire SHM over the duration of the LDP is 120. Ensuring that this proposed development includes affordable housing would eliminate the need for greenbelt release. Although the site is relatively small, the HLS Audit, paragraph 7 (reference??) refers to the different approach taken for small sites in Kilmacolm and Quarriers Village due to each site, however small, being of greater significance in these settlements.

Note: detailed representations made in relation to the Kilmacolm Institute as a site for affordable housing are covered in Issue 6.

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This site should be added to the Plan.

Former Kilmacolm Institute, The Cross, Kilmacolm

- Ms Catherine Harbon (19)
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The housing stock should be reviewed and the site should be counted and scored against the total of 120 new dwellings in the HLS (refer also to **Issues 5 and 6**).

Summary of responses (including reasons) by planning authority:

Dunvegan Avenue, Gourrock

Background – a planning application for 1 house was refused planning permission in September 2000, an outline application for 3 houses was refused in March 2009 and an application in principle was refused for 2 houses in November 2010 (CD63).

Mr Shaun Law (16)

The capacity of the site is below the PAN 02/2010 (CD22) threshold size for inclusion in a land audit and would not normally be incorporated into the list of residential development opportunities identified in Schedule 6.1. The site is within a residential policy area in the LDP, being covered by Policy RES1, which seeks to safeguard the character and amenity of residential areas. The principle of housing on the site is therefore acceptable, subject to the criteria laid out in the policy, including the compatibility with the character and amenity of the area. While the previous planning applications for this site have been refused on loss of open space and amenity grounds, any future consideration of development on the site should correctly be addressed through a planning application.

Recommend no modifications.

Barr's Brae, Port Glasgow

Background – planning permission in principle was refused in October 2011 and dismissed on appeal in February 2012 (CD64). Another application was refused in March 2013 and dismissed at the Local Review Body (LRB) in August 2013 (CD64). The most recent planning decision was upheld at the LRB on the basis of the character and amenity of the existing residential area, the land being identified as open space on the Local Plan and the adverse impact on the cycle track.

Mr Timoney (59)

The site is identified as open space in the adopted Local Plan, and following the Open Space Review for the LDP (CD42), it remains as an area considered to be of value to the community for its amenity and its function as a wildlife corridor. The impact of a housing development at this location would be detrimental to the visual amenity of nearby residents and to users of the adjoining cycle path. Both planning applications were recently dismissed at appeal and it is considered by the Council that nothing has changed in the interim.

In conclusion, the Council does not propose to include the site at Barr's Brae, Port Glasgow in Schedule 6.1 of the LDP.

Gillburn Road, Kilmacolm

Kilmacolm Civic Trust (63)

The site has not been submitted to the Council by its owner or an interested developer for

inclusion as a Residential Development Opportunity site in the LDP. The site is however covered by policy RES1, which seeks to safeguard the character and amenity of residential areas, in the LDP and would, in principle, be appropriate for a residential development. Assessment against the relevant criteria in the policy, including compatibility with the character and amenity of the area, would be required.

Recommend no modifications.

Former Kilmacolm Institute, The Cross, Kilmacolm

Background – Inverclyde Council, the owners of the property, have been marketing this site since 2010, and have very recently agreed to sell the property for development. No planning applications have yet been received.

Ms Catherine Harbon (19)

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Mr John Watson (46)

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Kilmacolm Community Council (71)

The former Institute site is within the village centre and has been marketed unsuccessfully in the past. It was not included in Schedule 6.1 of the LDP as a Residential Development Opportunity site because of the uncertainty that it would be developed within the plan period. The site should therefore be considered as windfall, however if the Reporter is so minded, this development opportunity could be included in Schedule 6.1.

Reporter's conclusions:

Dunvegan Avenue, Gourock

1. This relatively flat, small rectangular plot of undeveloped land is surrounded by detached villas developed in the late 1970s that now form part of a larger residential housing estate on the hillside above Gourock. I note that whilst the site in question was originally proposed as an area of open space it was never laid out for that purpose and the council no longer maintains it even as a simple grassed area. Today the site is a neglected, unmanaged area of open ground – and appears to be not in use for any purpose as each of the surrounding houses has its own private garden area.

2. In this context the planning authority acknowledges that the principle of residential development on this vacant site would be acceptable and I accord with that view. Attention is drawn, however, by the council to the fact that the number of houses that could be accommodated on the site in question falls below the thresholds set out in government guidance for inclusion in housing land audits. That also applies to the minimum size for residential development opportunities to be listed in Schedule 6.1 and shown on the development plan settlement map.

3. On this basis I find that the planning authority is fully justified in not identifying this particular site as a housing development opportunity site in the plan. I also conclude that the planning authority is correct in stating that, given the limited scale of the site, any proposal for its residential development should be considered on its merits through the lodging and processing of a planning application.

Barr's Brae, Port Glasgow

4. I note that the site concerned is a wedge of sloping ground that adjoins a former rail line that is now a recreational walking and cycling route forming part of the Sustrans national route network. This site forms part of a corridor of designated open space in the adopted local plan for the area. Furthermore, based on the Open Space Review undertaken for the preparation for the local development plan review, the planning authority has concluded that this site continues to be of value to the community for its amenity and its function as a wildlife corridor. No substantive evidence to the contrary has been drawn to my attention and its value in this regard, as part of the green network of open spaces, was evident to me on my site inspection.

5. Against this background, I note that in recent years the site in question has been repeatedly refused planning permission for housing development by the planning authority and on appeal. In support of the case now being made for the site to be allocated for housing in the local development plan the representation argues, firstly, that the site is unmanaged scrubland and of no amenity value – and also contends that the concerns expressed by the Reporter when dismissing a planning appeal relating to this site in 2012 have been largely addressed by new revised proposals for housing here. I do not find the arguments put forward in the representations persuasive in either of those matters, based on the available evidence lodged and my own site visit. Whilst noting the suggestion that the number of houses might be reduced marginally and their impact lessened by careful site planning - including excavations and introduction of retaining walls and retaining some existing landscape features – I do not regard those measures as sufficient to satisfactorily address the fundamental concerns highlighted by the planning authority with regard to housing development at this location.

6. Furthermore, I conclude that the planning authority is justified in seeking to safeguard this important landscape corridor, which is of significant value and importance to both local residents and visitors using the recreational route that passes here – as well as in ecological terms as a wildlife corridor. Accordingly, I conclude that there is insufficient reason to re-designate the site in question from what is currently proposed by the council for the new local development plan. In summary, I conclude that, for the reasons set out by the planning authority, this land should not be included as a housing development site in Schedule 6.1 of the Local Development Plan.

Gilburn Road, Kilmacolm

7. This is a heavily overgrown gap site within the urban area of Kilmacolm. The trees on the site provide some amenity and, in all likelihood, wildlife value, but are not particularly fine specimens in themselves. I expect that more detailed consideration would show this to be an acceptable site for some development of an appropriate scale.

8. However, to be allocated as a housing site in the local development plan, paragraph 72 of Scottish Planning Policy indicates that sites need to be effective (i.e. available for the construction of housing) or capable of becoming effective within ten years. In this case there is no indication that the current owner of the site has any intention of releasing it for development. The site may therefore fail the 'ownership' criterion of effectiveness described at paragraph 55 of Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits. On this basis I conclude that it was not unreasonable for the planning authority to have excluded this site from the schedule of residential development opportunities.

Former Kilmacolm Institute, The Cross, Kilmacolm

9. There appears to be no dispute that this site in the centre of Kilmacolm is suitable for residential use. Evidence submitted by Kilmacolm Civic Trust in response to a further information request in relation to Issue 8 indicates that a planning application for this site incorporating 13 housing units and two commercial units has now been submitted. This application gives an indication that the Institute site is capable of being an effective housing site within the lifetime of the plan. Its capacity appears to be larger than several of the sites that are included in Schedule 6.1. There is therefore a good case for including the Institute site in Schedule 6.1.

10. However my recommendations are required to be precise, and there remains some uncertainty in my mind as to the final capacity, tenure and timescale of the development. These are details that are required for inclusion in Schedule 6.1. I therefore conclude that the Institute site should not be included in this iteration of the plan.

11. I do not consider that this decision has any material bearing on other parts of the plan. In particular the treatment of the general housing land supply and of affordable housing in the proposed plan has been found to be acceptable at Issues 5 and 6. I also consider the justification for the release of the Smithy Brae site to be mainly specific to that site, and not primarily connected to a 'housing numbers' argument that might be affected by identifying additional releases elsewhere.

12. Any proposals for residential development at the former Institute can be adequately considered against Policy RES2 and other relevant policies of the plan.

Reporter's recommendations:

No modifications