

Report To: The Planning Board

Date: 6 March 2019

Report By: Head of Regeneration and Planning

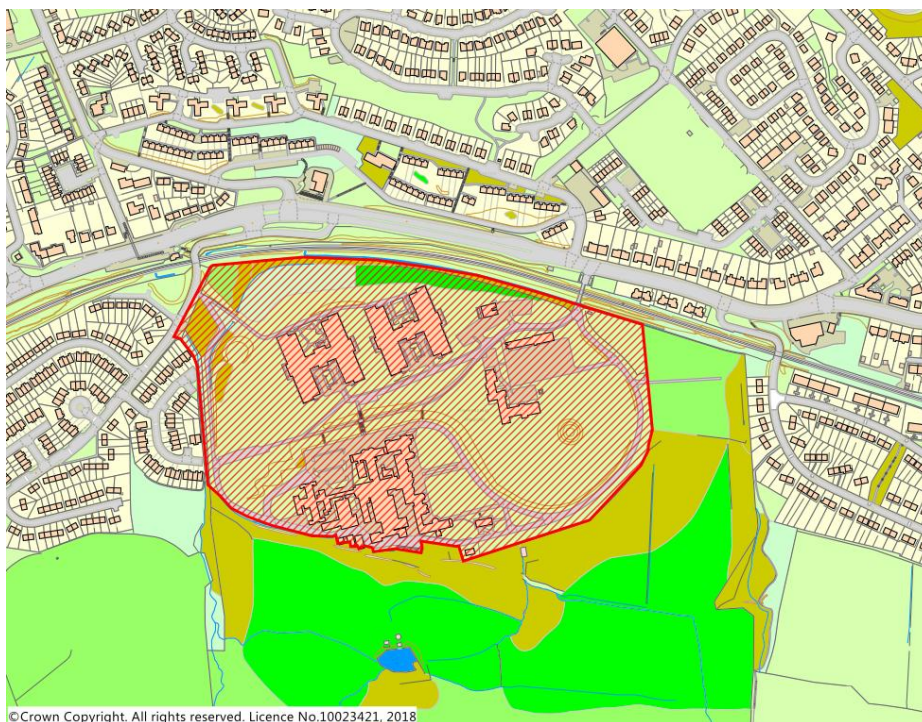
Report No: 18/0205/IC  
Plan 03/19

Major Application  
Development

Contact  
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Subject: Construction of 198 residential homes with road, all associated infrastructure, levels changes, amenity open space and landscaping provision including retention of key existing landscaping features at Ravenscraig Hospital Grounds, Ravenscraig Hospital, Inverkip Road, Greenock



### SUMMARY

- The proposal accords with the Inverclyde Development Plan.
- Ninety objections have been received raising concern over a number of issues including traffic, land contamination, impact on built and natural heritage, design and layout and loss of open space.
- Consultees 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=PBNW74IMHUA00>

## **SITE DESCRIPTION**

The application site comprises approximately 14.4 hectares of the grounds of the former Ravenscraig Hospital at Inverkip Road in Greenock. The site includes the vacant buildings and development platforms and the internal road network and open space, but not most of the plantation to the south and east.

The site currently has two access points; from Inverkip Road over the railway bridge close to the junction with Neil Street at the north-eastern part of the site, and from Branchton Road to the north-west. The site varies in level and gradient; from Inverkip Road and the adjacent Glasgow to Wemyss Bay railway line it rises steeply to a relatively level platform which contains the more contemporary former hospital buildings. The former original, sandstone hospital building was located on a higher platform to the south. Within the eastern part of the site there is an historical topographical feature (Bunston Knowe) which sits within a soft landscaped framework.

The site is bound to the north by the Glasgow-Wemyss Bay railway line, with Inverkip Road beyond; to the west by Branchton Road and housing at Dunnet Place and Golspie Drive; and to the south and east by the plantation.

## **PROPOSAL**

Planning permission is sought for the construction of 198 dwellings, comprised of 48 flats and 150 houses, with associated roads and infrastructure, amenity open space and landscaping which retains key existing features. To facilitate development there will be a number of site levels changes.

Supporting documents indicate that it is anticipated the development will take place in two phases, with the first aimed at providing 149 homes for social rent by March 2021. The second phase of 49 dwellings is to follow, with the decision on the type of tenure to be informed by market trends and housing requirements at that time. The submitted drawings, nevertheless, provide details of both proposed phases.

The masterplan shows the development of three neighbourhoods; the first development phase is on the lower development platform in the northern part of the site and on the upper level platform in the southern part of the site, with the second phase and third neighbourhood, located within the eastern part of the site. "Home zones" will be developed in each of the neighbourhoods, all accessed from main distributor roads running west-east through the site. Within each "home zone" the street is designed to prioritise pedestrian movement over vehicles within courtyard arrangements.

Each dwellinghouse is provided with a front garden at least 6 metres deep with a planted buffer zone, bin storage and one in-curtilage parking space. General visitor parking is also to be provided. Back gardens are at least 9 metres deep. The dwelling types are mainly two storeys high in terraces of 3-5 properties and providing between 2 and 4 bedrooms. Dedicated bin store provision is built into the frontage design of the plots. Where the dwellings are adjacent to the distributor roads, a number have a varied roofscape with "bookend" articulation to help identify the different "home zones".

Outwith the "home zones", cottage flats and individual houses are proposed including a number designed to be fully DDA compliant to meet specific client needs. The garden arrangements for cottage flats are of a lesser scale, but at a minimum of 10 square metres per bedspace.

A limited palette of facing materials consisting of dark and buff bricks and dark grey concrete roof tiles are to be used to create a sense of consistency to the development, although there will be variation in the proportions and patterned use of these materials between the different neighbourhoods.

The soft landscaping framework, consisting of a range of mature trees, is to be largely retained as it positively contributes to the sense of place. Significant new planting is also to be

introduced along with two new play areas and a network of mainly dry surface sustainable urban drainage areas.

The main vehicular access to the site will be from Branchton Road. The other access from Inverkip Road will be retained for pedestrians and cyclists. Bollards will help prevent vehicular use of the Inverkip Road access, although these will be capable of being lowered for emergency vehicles. A new signalised junction on Inverkip Road opposite the junction with Gleninver Road is proposed. This requires the current Branchton Road junction with Inverkip Road moving slightly east.

The application is supported by a design and access statement, a drainage strategy, an ecological study and bat survey, a flood risk assessment, a geo-environmental and geotechnical interpretative report, an archaeological survey, a noise impact assessment, a tree survey report and a transport assessment.

## **DEVELOPMENT PLAN POLICIES**

### **2017 Clydeplan Strategic Development Plan**

#### **Policy 1 – Placemaking**

New development should contribute towards the creation of high quality places across the city region. In support of the Vision and Spatial Development Strategy new development proposals should take account of the Placemaking Principle set out in Table 1.

#### **Policy 8 - Housing Land Requirement**

In order to provide a generous supply of land for housing and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy, Local Authorities should:

- make provisions in Local Development Plans for the all tenure Housing Land Requirement by Local Authority set out in Schedule 8, for the Private Housing Land Requirement by Housing Sub-Market Area set out in Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in Schedule 10;
- allocate a range of sites which are effective or expected to become effective in the plan periods to meet the Housing Land Requirement, for each Housing Sub-Market Area and for each Local Authority, of the SDP up to year 10 from the expected year of adoption;
- provide for a minimum of 5 years effective land supply at all times for each Housing Sub-Market Area and for each Local Authority; and
- undertake annual monitoring of completions and land supply through Housing Land Audits.

Local Authorities should take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for housing developments, on greenfield or brownfield sites, subject to satisfying each of the following criteria:

- the development will help to remedy the shortfall which has been identified;
- the development will contribute to sustainable development;
- the development will be in keeping with the character of the settlement and the local area;
- the development will not undermine Green Belt objectives; and
- any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

## **Policy 16 - Improving the Water Quality Environment and Managing Flood Risk and Drainage**

To support the Vision and Spatial Development Strategy and to achieve the objectives set out in paragraph 8.28 Local Development Plans and development proposals should protect and enhance the water environment by

- adopting a precautionary approach to the reduction of flood risk;
- supporting the delivery of the Metropolitan Glasgow Strategic Drainage Plan;
- supporting the delivery of the Glasgow and the Clyde Valley Green Network; and
- safeguarding the storage capacity of the functional floodplain and higher lying areas for attenuation.

### **2014 Inverclyde Local Development Plan**

#### **Policy SDS3 - Place Making**

High-quality place making in all new development will be promoted by having regard to Inverclyde's historic urban fabric, built cultural heritage and natural environment, including its setting on the coast and upland moors. This heritage and environment will inform the protection and enhancement of Inverclyde by having regard to the Scottish Government's placemaking policies, in particular through the application of 'Designing Places' and 'Designing Streets' and through embedding Green Network principles in all new development.

#### **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 TRA1 - Managing the Transport Network**

The Council will seek to manage development that would affect traffic flow on the strategic road network to allow essential traffic to undertake efficient journeys. To achieve this, the actions included in the Local Transport Strategy will be supported. The public transport network will also be protected where possible, and support will be given to proposals that will result in an improved or extended service. Where proposals could result in the requirement for new or diverted public transport routes, discussion with Strathclyde Partnership for Transport should be undertaken.

#### **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 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 RES3 - Residential Development Opportunities**

Residential development will be encouraged and supported on the sites and indicative locations included in Schedule 6.1 and indicated on the Proposals Map. An annual audit of the housing land supply will monitor and review, and where necessary, augment the Effective Land Supply, to maintain a minimum five year's supply in accordance with the GCV SDP and SPP guidance.

### **Policy RES4 - Provision of Affordable Housing**

Residential developments of 20 or more dwellings on the prescribed sites in Schedule 6.1 will require developers to contribute towards meeting the affordable housing requirements identified in the Glasgow and the Clyde Valley Housing Need and Demand Assessment for Inverclyde. Provision is to be delivered by developers in accordance with Supplementary Guidance on Affordable Housing through the following means:

- (a) a benchmark of 25% Affordable Housing Contribution or another agreed percentage on specified 'quota sites'; or failing that and in exceptional circumstances:
  - (i) off-site provision within the same HMA/HNDA sub area; or
  - (ii) commuted payments in lieu of on- or off-site provision;
- (b) allocated Registered Social Landlord sites in the effective land supply; and
- (c) greenfield land release for a negotiated Affordable Housing Contribution, subject to assessment in accordance with the GCV SDP Strategy Support Measure 10 and Policy RES3.

### **Policy ENV6 - Trees and Woodland**

Trees, groups of trees and woodland designated as Tree Preservation Orders (TPOs) will be safeguarded. Where it is considered necessary to protect other trees and woodland areas for amenity reasons, new Tree Preservation Orders will be promoted.

Trees and woodland will be protected and enhanced by having regard to the Scottish Government's Woodland Removal Policy and through:

- (a) promoting the planting of broad leaved and native species, or other species with known biodiversity benefits;
- (b) protecting and promoting the positive management of hedgerows, street trees and any other trees considered to contribute to the amenity of the area;
- (c) protecting and promoting the positive management of ancient and semi-ancient natural woodlands; and
- (d) encouraging the planting of appropriate trees as an integral part of new development.

Woodland creation proposals will be guided by the GCV Forestry and Woodland Framework Strategy (FWS), where priority locations for woodland management and expansion in Inverclyde will be assessed against the following criteria in accordance with the UK Forestry Standard:

- (e) the benefits of woodland creation to the value of the existing habitat;
- (f) contribution to the enhancement of the wider Green Network;
- (g) the safeguarding of nature conservation and archaeological heritage interests;
- (h) safeguarding of water supplies;
- (i) the area's landscape character;
- (j) integration with agricultural interests;
- (k) existing and potential public access and recreational use;
- (l) woodland design and the proposed mix of species; and
- (m) points of access to and operational tracks through woodlands.

#### **Policy ENV7 - Biodiversity**

The protection and enhancement of biodiversity will be considered in the determination of planning applications, where appropriate. Planning permission will not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

Inverclyde Council, in conjunction with its partners, will continue to develop habitat and species action plans through the approved Local Biodiversity Action Plan (LBAP) in order to manage and enhance the biodiversity of the Inverclyde area.

#### **Policy HER4 - Alteration, Extension and Demolition of Listed Buildings**

There is a presumption in favour of the retention of listed buildings, and their demolition, in full or in part, will only be accepted after a full assessment of the importance and condition of the building has been undertaken. Proposals to alter, extend or demolish a listed building must respect the reasons for listing, be of a high standard and will be approved only where the proposed works do not adversely affect the special interest of the building and are satisfactory having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series.

#### **Policy HER7 - Development Affecting Archaeological Sites**

Development which will have an adverse effect on Scheduled Monuments or their setting will only be permitted in exceptional circumstances and where it is satisfactory having regard to Historic Scotland's 'Managing Change in the Historic Environment' guidance note series. Development on or adjacent to other archaeological sites, as included on the Council's database of sites of archaeological importance, will normally be permitted only where there is no adverse impact on the resource. Where development is permitted affecting these sites of archaeological importance, conditions will be attached to planning permissions to allow for excavation and recording before or during development. Any survey reports or works sought by the Council will require to be funded by the developer.

#### **Policy INF4 - Reducing Flood Risk**

Development will not be acceptable where it is at risk of flooding, or increases flood risk elsewhere. There may be exceptions for infrastructure if a specific location is essential for

operational reasons and the development is designed to operate in flood conditions and to have minimal impact on water flow and retention.

All developments at risk of flooding will require to be accompanied by a Flood Risk Assessment (FRA) and should include a freeboard allowance, use water resistant materials where appropriate and include suitable management measures and mitigation for any loss of flood storage capacity.

### **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.

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

## **PROPOSED DEVELOPMENT PLAN POLICIES**

### **Inverclyde Local Development Plan – Proposed Plan 2018**

#### **Policy 1 - Creating Successful Places**

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

#### **Policy 8 - Managing Flood Risk**

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

- be at significant risk of flooding;
- increase the level of flood risk elsewhere; and
- reduce the water conveyance and storage capacity of a functional flood plain.

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

#### **Policy 9 - Surface and Waste Water Drainage**

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

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

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

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

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

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

### **Policy 10 - Promoting Sustainable and Active Travel**

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

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

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

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

### **Policy 11 - Managing Impact of Development on the Transport Network**

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

### **Policy 16 - Contaminated Land**

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

### **Policy 17 - Land for Housing**

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

- a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan; and
- evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.
- a requirement for 25% of houses on new greenfield release sites in the Inverclyde villages to be available for social rent.



## **Policy 18 - New Housing Development**

New housing development will be supported on the sites identified in Schedule 4, and on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Development Briefs for Housing Sites, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages which are brought forward under Policy 17 to be available for social rent. Supplementary Guidance will be prepared in respect of this requirement.

## **Policy 20 - Residential Areas**

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

## **Policy 29 - Listed Buildings**

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

Demolition of listed buildings will not be supported.

## **Policy 31 - Scheduled Monuments and Archaeological Sites**

Development that would potentially have an adverse effect on a Scheduled Monument will only be permitted in exceptional circumstances.

Development affecting archaeological sites should seek to preserve the archaeological resource in situ.

## **Policy 33 - Biodiversity and Geodiversity**

Natura 2000 sites

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

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

Sites of Special Scientific Interest

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

Protected Species

Development affecting Protected Species will only be permitted where:

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

#### Local Nature Conservation Sites

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

#### Local Landscape Area

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

#### Non-designated sites

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

### **Policy 34 - Trees, Woodland and Forestry**

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

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

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

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

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

### **CONSULTATIONS**

**Archaeology Consultant** - There is the potential for prehistoric, late medieval or even medieval remains to be located within the limits of the application site. If archaeological remains are discovered during the course of the evaluation there is a requirement for further stages of archaeological works in order to excavate and record before development may proceed. Additional works could include post-excavation analyses and final publication of the results if warranted.

The following condition is suggested:

"No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of the archaeological resources within the development site is undertaken to the satisfaction of the planning authority and its archaeological advisor."

**Director of Education, Communities and Organisational Development** - Catchment schools can accommodate expected pupil numbers for this site.

**Head of Environmental and Public Protection (Roads)** – The following comments are provided:

- Parking provision, parking space dimensions, surfacing and gradient of parking spaces, gradients and geometry of all roads, width of footways, bollard positions, visibility splays, turning head dimensions, the flood risk assessment and the drainage strategy are all acceptable.
- The remote footpath handrails and tactile slabs have to be repaired and will not be adopted.
- Traffic calming details are to be agreed in writing.
- The signalisation of the A78 Inverkip Road/ Branchton Road/ Gleninver Road shall be provided to improve road safety at this junction by providing gaps in traffic to allow right turn vehicles to and from Branchton Road and Gleninver Road. At present during peak times drivers are relying on courteous drivers to allow them to merge which creates delays on the A78.
- The emergency access bridge will be adopted after it has been brought up to adoptable standard and is strengthened to carry 44 tonne vehicles.
- A Road Construction Consent will be required for all new prospectively adoptable roads and footways.
- Street lighting design shall be submitted as part of the Road Construction Consent.
- The flooding certificate must be signed by an external company.
- All the surface water must be contained within the site.
- Maintenance regime for the drainage systems is to be submitted and agreed in writing.
- Confirmation of Scottish Water's approval shall be submitted.

**Head of Environmental and Public Protection (Environmental Health)** - The pre-demolition site investigation confirms contamination to be present and there is indication of ground gas and water environment pollutant linkages for which the assessment is incomplete. More site investigation is required on completion of demolition works, targeting the proposed development areas, Bunston Knowe (surface soils), the north-west road realignment, and the installation of additional ground gas and groundwater monitoring wells - in this regard the supplied water environment risk assessment is not compliant with current guidance and best practice, furthermore 3 wells up-gradient of potential sources is not sufficient. This matter may be dealt with by condition.

Conditions are also suggested in respect of an air quality impact assessment, contaminated land, waste containers, external lighting, control on the times and methods of working and sound insulation. Advisory notes are suggested in respect of site drainage, vermin and gull control, and the Construction (Design & Management) Regulations 2015.

**Scottish Power** - No objection although there are cables within the vicinity.

**Scottish Environment Protection Agency** - No objection.

**Scottish Water** - No objection, although the proposals impact on Scottish Water assets. Various advisory notes are suggested.

**Transport Scotland** – No objection in principle, although the following conditions should be imposed:

- The proposed development shall be limited to 200 dwellings.
- The proposed A78(T)/Branchton Road/Gleninver Road junction shall be constructed to a layout generally consistent with Drawing 120756/1016, dated 17 October 2018 and provided in support of application 18/0205/IC. The finalised junction layout, type and method of construction shall be submitted for approval by the Planning Authority, in consultation with Transport Scotland, as Trunk Road Authority, before any part of the development is commenced.
- The proposed A78(T)/proposed development emergency access junction shall be constructed to a layout generally consistent with Drawing 120756/1002 A, dated 22 November 2017 and provided in support of application 18/0205/IC. The finalised junction layout, type and method of construction shall be submitted for approval by the Planning Authority, in consultation with Transport Scotland, as Trunk Road Authority, before any part of the development is commenced.
- No part of the development shall be occupied until a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority. In particular this Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.
- Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.
- There shall be no drainage connections to the trunk road drainage system.
- Prior to the commencement of the construction period, a Construction Traffic Management Plan (CTMP) shall be prepared and agreed in consultation with the Local Authority and Transport Scotland.

**Network Rail** - No objection subject to the following condition being imposed:

- No development shall take place on site until such time as details of a boundary fence adjacent to Network Rail's boundary has been submitted to and approved in writing by the Planning Authority. A suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary must be installed and provision for the fence's future maintenance and renewal should be made. Network Rail's existing boundary measure must not be removed without prior permission. The fencing shall be carried out only in full accordance with such approved details”.

Network Rail also notes that the developer proposes a pedestrian and emergency access link over Overbridge 181/024. This bridge was built as a private accommodation crossing and is owned and maintained by Network Rail. According to records there are no public rights of access over this bridge. Additional servitude rights of access/bridge agreements will have to be secured from Network Rail for the creation of any proposed links. Drainage must be collected and diverted away from the railway. As a consequence the following advisory note is recommended:

“Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.”

**Scottish Gas Networks** - There is plant in the vicinity. Precautionary advisory notes are suggested.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 20 July 2018 as there are no premises on neighbouring land and in the Greenock Telegraph and in the Edinburgh Gazette on 20 July 2018 as development affecting a Listed Building.

## **SITE NOTICES**

A site notice was posted on 20 July 2018 for development affecting a listed building.

## **PUBLIC PARTICIPATION**

Ninety objections have been received from eighty seven individuals and from the Larkfield, Braeside and Branchton Community Council. The points of objection may be summarised as follows:

### Traffic issues

- The proposal will further adversely impact on already slow moving peak time traffic on the A78.
- Slower moving traffic and congestion could potentially impact on accessibility of nearby properties.
- The proposed development may encourage additional parking on the A78.
- The proposed development will be to the detriment of the safety of pedestrians using the "emergency access", will impact on the ability of emergency vehicles to use it, and there is concern over the strength of the bridge to accommodate heavy traffic.
- The Branchton Road bridge is too busy to accommodate any more traffic; it has poor visibility, continually floods and has only one footpath.
- There is inadequate parking provision for occupants or delivery vehicles, patient transport etc.
- Further traffic will bring more pollution.
- Connections to the site and across Inverkip Road are not wheelchair friendly.
- The Transport Assessment does not accurately reflect the additional volume of traffic that will be using the roads, especially as directed over Branchton Road. New developments at Spango Valley, the new Greenock Prison site and the former Ravenscraig School site have been missed from the Transport Assessment.
- The proposal will increase the likelihood of a traffic accident.
- The access point to the site has been closed.
- Traffic on Auchneagh Road would be better directed one way.

### Land contamination and public health

- There is Japanese Knotweed, possibly containing contaminants, and its possible spread including the spread of contaminants through its root growth is of concern. This requires to be chemically treated prior to site clearance.
- Japanese Knotweed is more extensive on the site than surveys have shown.
- Contaminants such as asbestos, cadmium, arsenic, lead, chromium, chrysotile, crocidolite and amosite are either all present on the site or can be expected to be found. This and other contaminants will be in place from previous uses of the site. They all pose a threat to the health of future occupants and the site may be unfit for human habitation. Existing adjacent residents may be adversely affected by their removal from the site or by "escapes" during site construction.
- The application is premature ahead of a full survey of site contamination.
- What types of building materials could withstand the contaminants present on the site?
- What design modifications and precautions regarding soft landscaping would be required to protect those living on the site?
- The geo-environmental and geotechnical interpretative report lacks a grid survey and is therefore faulty and inadequate.

### Built Heritage

- The loss of the former Ravenscraig Hospital listed building is not appropriate.
- The archaeological survey is lacking in quality and investigation.
- There is a former pauper's graveyard on the site.

### Natural Heritage

- There will be an adverse impact on wildlife including bats, kingfishers, deer, barn owls, herons, buzzards, sparrowhawks, kestrels and badgers.
- The site should be made a public park as an alternative to development. It is a natural area walked by many people.
- The wildlife survey is erroneous and was conducted by people who did not visit the site.
- There are 3 species of bat and five roosts within the site.
- A full flora and fauna survey requires to be carried out; the flora and fauna survey was carried out at the wrong time of year, in the winter.
- Loss of trees is unacceptable.

### Design and layout

- The layout design is not original, gives a brutal impression and is incongruous to the setting.
- Density is unacceptable.
- The facing bricks are too dark and look oppressive.
- Internal arrangements within the dwellings are unacceptable in terms of safety, drainage, wheelchair manoeuvrability and cooking area.
- Emergency access/egress for the occupants based on the design of the houses is not appropriate.
- Window to window privacy is unacceptable.
- Existing houses on Inverkip Road will be overlooked by the new houses.
- There will be a loss of view of Bunston Knowe from Inverkip Road.
- There will be a loss of visual amenity for adjacent residents.
- There will be a loss of light in nearby dwellings.
- Light pollution will be created by the development.
- There is a lack of sunlight to the site due to the plantation to the south.
- The area may be adversely impacted by strong winds.
- The topography makes it an unsuitable site for housing development.
- Open space provision is poor and restricted to sloped areas.
- There is a lack of integration with existing community including no through traffic. The sense of isolation will be bad for future residents' mental and physical health.
- There is a lack of information on the internal arrangements within the proposed houses and the garden layouts and therefore concerns about how these would function based on what information has been provided.

### Infrastructure considerations

- There are concerns over lack of educational placements.
- There will be a lack of employment opportunities in the vicinity for the new residents.
- There is a lack of surrounding amenities and shops within walking distance of the site.

### Miscellaneous

- It is a concern that the Council will prioritise Council Tax revenue in its decision making.
- There are concerns over the financial transaction to sell the site to the applicant.
- Other properties elsewhere should be refurbished before this site is developed.
- The whole development could place a financial loan burden on the applicant.
- Renting tenants should be located nearer the centre of the town.

- The proposal fails to meet any of the “Health and Wellbeing” requirements of the ScotPHN Report compiled by Emily Tweed in January 2017.
- The proposed development is not progressive but a decanting exercise.
- There was a lack of adequate pre-application public consultation (no advert in the Greenock Telegraph). There is also no record of public attendance at meetings regarding the site.
- There are concerns about the possible behaviour of future residents.
- There is a conflict of interest for the Chair of the Planning Board being a director of Link Homes.
- A previously built on area at Belville Street should be retained as green space.
- Concern about no new build happening at Broomhill.
- This development will have an adverse impact on house prices in the local area.

## **ASSESSMENT**

In the hierarchy of development proposals, this application is a major planning application as defined by The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. National Planning Policy requires to be considered including the National Planning Framework (NPF) 3 and the Scottish Planning Policy (SPP). The Development Plan consists of the 2017 Clydeplan Strategic Development Plan (SDP) and the 2014 Inverclyde Local Development Plan (LDP). The 2018 proposed Inverclyde Local Development Plan (proposed LDP) is also a material planning consideration.

In assessing this proposal, it is first appropriate to set out the national, strategic and local policy context.

### **Policy Context**

#### National Policy

The National Planning Framework (NPF) 3 and Scottish Planning Policy (SPP) are the two key national planning documents that set the framework for development across Scotland. NPF3 notes the Scottish Government’s desire for a significant increase in house building to ensure housing requirements are met across the country. Additionally it is stated that there will be a need to ensure a generous supply of housing land in sustainable places where people want to live, providing enough homes and supporting economic growth.

The SPP reinforces the aims of NPF3 to facilitate new housing development. It notes that the planning system should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a five-year supply of effective housing land at all times. The planning system should also enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places. Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Local Development Plans should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the Strategic Development Plan with a minimum of five years effective land supply at all times. Where a shortfall in the five-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to date.

Both Strategic and Local Development Plan policies are required to follow National Policy.

#### Strategic Policy

The 2017 Clydeplan Strategic Development Plan (SDP) sets out a strategic vision to be implemented through a spatial development strategy and sets targets for the provision of new housing within the component parts of the Plan area. This provides that most development is to be focussed on existing settlements, with much of the intervening land being designated as

Green Belt. The SDP is clear in supporting housing growth that creates high quality places which delivers not only the right type of homes but in the right locations.

SDP Policy 8 on Housing Land Requirement is the most relevant policy in the context of this proposal. It requires local authorities to make provisions in Local Development Plans for all tenures and allocate sites which are effective or likely to be effective within the plan periods to meet the housing land requirements for each housing sub-market area.

Policies 1 and 16 covering Placemaking and Managing Flood Risk and Drainage are also of relevance.

### Local Policy

In response to the SDP, the adopted Inverclyde Local Development Plan (LDP) supports the delivery of housing on appropriate, well located and effective sites, and depends on these being made available to meet need and demand. Through Policy RES3 and Schedule 6.1, the LDP aims to support all housing providers through a range and choice of land allocations to meet all requirements. Schedule 6.1 lists all the sites allocated which are effective or capable of becoming effective to meet the housing land requirement and ensuring a minimum of five-year's effective land supply at all times. The application site appears in this Schedule, with an indicative capacity of 200 dwellings, 150 of which were to be private sector with 50 units affordable, based on the quota system. Policy RES4 of the adopted Plan further supports the quota identified in Schedule 6.1.

The application site is located within a mainly residential area under Policy RES1 of the adopted Plan. This policy aims to safeguard and, where practicable, enhance the character and amenity of such areas. New residential development is to be assessed against and have to satisfy a range of criteria. Policy RES2 of the adopted Plan supports housing development on brownfield sites as identified on the proposals map unless select other circumstances apply.

The current LDP is under review, with the proposed LDP presently with the Scottish Ministers for consideration. In the proposed LDP, Policy 17 identifies housing development sites aimed at ensuring a five-year effective housing land supply is maintained, however in the event that additional land is required for housing development, criteria for the assessment of such proposals are set out. Policy 18 of the proposed LDP supports housing development on appropriate sites. The associated Schedule 4 identifies the application site for development purposes, again with an indicative capacity of 200 in mixed tenure. The tenure mix is not numerically defined. The Proposed LDP also identifies the site as part of a wider residential area under Policy 20, where proposals are to be assessed with regard to their impact on the amenity, character and appearance of an area.

### **The Determining Issues**

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The key determining issues are:

- Is the principle of development acceptable on this site, and if so;
- Is residential development of the nature, design and layout proposed appropriate on this site?
- With respect to traffic related issues, can the site be accessed in an acceptable manner and can access onto the trunk road be achieved without detriment to the flow and movement of traffic on it?
- Does the identified contamination on the site render it unsuitable for development or can this be safely mitigated?
- Will there be an unacceptable adverse impact on site ecology?
- Will there be an impact on built and cultural heritage?
- Will there be flooding or drainage related implications and can these be addressed?



- What will be the impacts on nearby residential properties and will these be acceptable?
- Is there capacity with respect to schools, utilities and local facilities for this development?

### The principle of housing development

The proposal is supported in principle by Policy RES3 and Policy 18 as the site is included in their associated land schedules. It is noted that the majority of the housing now proposed is affordable, which alters the balance envisaged by the adopted LDP. The proposed LDP, however, represents a more contemporary understanding of the housing market and I note that it anticipates a mixed tenure without specific numerical tenure divisions. The applicant's intentions on mixed tenure presents some tension with Policy RES3, however residential development of the site is supported in principle. The more contemporary tenure mix anticipated by Policy 18, to which I give weight, renders the proposal acceptable in principle. It follows that it accords with Policy RES4. The proposal also accords in principle with the residential land use allocation of both the adopted and proposed LDPs.



Furthermore, as the proposal constitutes redevelopment of a brownfield site it accords with Policies SDS5 and RES2 of the adopted LDP, particularly as there is no alternative use of greater priority identified. The previously developed nature of the site has created levelled platforms, rendering the topography suitable for development. Some representations have suggested the creation of a public park but this would run contrary to the aims of the LDP. The site does not comprise designated open space and none would therefore be lost as a result of the proposed development.

### The residential nature, design and layout of the development

In response to the specific assessment criteria of Policy RES1, the applicant has proposed an interesting and well thought through site layout, with the emphasis on neighbourhood areas and a welcome illustration of the “home zones” concept. The design of the dwellings represents a contemporary approach and the proposed materials and their varied use between the neighbourhoods are acceptable and ensure that although the neighbourhoods will read as architecturally linked, they will also express their own identity. The proposed development therefore creates a successful place with respect to Policies SDS3 of the adopted LDP and Policy 1 of the proposed LDP. I conclude that the mix of house types, although making their own architectural statement, is compatible with the character and amenity of the area (RES1 criterion (a)).

Noting the proposed planting scheme, I consider that it is appropriate in terms of location, species and maturity of planting and will contribute to residential amenity (RES1 criterion (b)).

A development of the scale proposed will inevitably have an impact on the existing landscape, but by concentrating development on the existing development platforms the key landscape features, particularly Bunston Knowe, will not be adversely affected. I note concerns over the adequacy of daylight and sunlight to some properties to the south of the site, however the orientation of the gardens together with the level of maturity of the trees and their deciduous nature means that filtered sunlight would still reach these gardens (RES 1 criterion (c)).

The Head of Environmental and Public Protection (Roads) is content that the layout is in accordance with the Council's adopted roads guidance and it is clear that the layout addresses "Designing Streets" (RES 1 criterion (d)). The linkages established by the access connections to Branchton Road and Inverkip Road also satisfy me that the proposed development could not be considered to be isolated or remote from the existing community.

I note concerns over levels of parking provision but have to give greater weight to the adopted guidance, with which the proposal complies. None of the service providers indicate objection in principle and, as a previously developed site, there will be service provision in the immediate vicinity. It is for the developer to make the appropriate liaisons to establish connections (RES 1 criterion (e)).

The adopted and proposed Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" both apply. The development complies with respect to garden sizes and open space provision. The latter is regarded as generous and appropriately located, with two equipped play areas (a condition will be required in respect of the submission of precise details). The proposal is thus of acceptable density. As a result of alterations made following detailed examination of the layout, the window to window privacy is acceptable. I consider the proposal therefore addresses criterion (f) of Policy RES1, and that overall that the proposal accords with Policy RES1 of the adopted LDP and the associated Policy 20 of the proposed LDP.

I am therefore satisfied that residential development of the nature proposed is appropriate on this site.

### Traffic Issues

The applicant's transport assessment concludes that the proposed development's traffic impact would be minor, therefore no improvements are required on the route to accommodate the predicted traffic. It is also concluded that the development's traffic impacts can be accommodated on the existing network. Both Transport Scotland and the Head of Environmental and Public Protection (Roads) have no objection to the application and the associated Transport Assessment, subject to conditions addressing potential impacts on the trunk road and the the submission of a Travel Plan.

It should be noted that the easternmost entrance to the site from Inverkip Road, which is to operate as an emergency access for vehicles (outside its anticipated normal use by pedestrians and cyclists) requires to be upgraded to perform this function. As it is outwith the application site this matter cannot be addressed by condition and will require to be the subject of a Section 75 Agreement. Under the general terms of the Agreement, the applicant will finance upgrading works to the bridge to bring it up to adoptable standard. The Council will thereafter take ownership and adopt its maintenance. Implementation of this planning permission is contingent upon these works, which will require to be the subject of a separate planning application, being fully implemented.

I therefore accept the advice that the flow of traffic on the trunk road, the proposed signalisation of the new junction with the trunk road, the vehicular and pedestrian access connections to the development site and the roads hierarchy and associated footways within the site are either all deemed to be acceptable or can be addressed by conditions or legal agreement. Traffic calming measures are more properly addressed under a Road Construction Consent but as a traffic safety issue are a material consideration which may be addressed by condition. The movement of traffic on the A78 should not be impacted to the extent that access to properties is an issue. Adequate parking provision within the site should negate concerns over parking on the A78.

Noting concerns over closure of access to the site, this is only temporary as a security measure. Traffic directions on Auchneagh Road are not relevant to consideration of this application. I therefore conclude that the proposal accords with Policy TRA1 of the adopted LDP and Policy 11 of the proposed LDP.



Access from Branchton Road.

With respect to Policy TRA2 of the adopted LDP and Policy 10 of the proposed LDP, I note the close proximity of the development to Branchton railway station and the A78, where five bus services operate. In view of the two connections from the application site to these transport facilities I consider the application site to be in a sustainable location.



Inverkip Road access.

I therefore accept, based on the transport assessment and the consultation responses from Transport Scotland and the Head of Environmental and Public Protection (Roads), that the site can be suitably accessed and that access onto the trunk road can be achieved without detriment to the flow and movement of traffic on it.

I note that the applicant intends to provide remote footpaths within the site. I note the comments of the Head of Environmental and Public Protection (Roads) and am satisfied that such provision may be addressed by condition.

## Contamination Issues

Development on brownfield sites is commonplace and both developers and the Council are well practiced in making sure that sites can be safely occupied without risk to future residents.

Significant representation has been made in respect of concerns over historical site contamination and how it is to be treated. The presence of the contaminants identified in reports and by those making representations have been acknowledged and considered by the Head of Environmental and Public Protection (Environmental Health). It is concluded that these do not merit refusal of the application but that appropriate conditions can be attached to a grant of planning permission. This can include a requirement that works be completed in accordance with an agreed remediation scheme and that information be supplied as agreed in a Verification Plan. A report requires to demonstrate that no pollutant linkages remain or would be likely to occur. It follows that the Council could retain control over occupation of the site until issues related to contamination have been addressed.

I therefore conclude that the professional advice is that existing contamination can be safely mitigated and that there are no grounds in respect of Japanese Knotweed and site contamination that would merit refusal of planning permission. Accordingly I consider that the proposal complies with the requirements of Policy 16 of the proposed LDP.

## Impact on site ecology

Several concerns have been raised on the impacts on wildlife and the adequacy of the ecological appraisal carried out by the applicant. Concern has been expressed over the timing of the submitted ecological appraisal, that it is erroneous, and that it does not cover all flora and fauna. I note, however, that the ecological appraisal has been verified by an independent and appropriately qualified consultant.

Notable conclusions of the ecological appraisal are that no evidence was found of badgers; a further survey would be required for bats (which was subsequently carried out with a license being granted thereafter by Scottish Natural Heritage); and although there are nesting opportunities for various birds, similar habitats are found in the local area and the site is not considered to be of core importance to any one species. The appraisal makes several recommendations about work practices and it would be appropriate to cover these by a condition on a grant of planning permission.

I am therefore satisfied that the site can be developed without undue adverse impact on flora and fauna and that the proposal therefore accords with Policy ENV7 of the adopted LDP and Policy 33 of the proposed LDP.

Concerns have also been expressed about tree removal and the impact of the development. The site is covered by a tree preservation order, consequently trees cannot be removed or be subject to any surgery without formal permission being granted by the Council. All trees within the site have been subject to survey and assessment by an appropriately qualified consultant. Forty individual trees and a small group close to the proposed vehicular entrance to the site have already been removed with permission; these being mainly of poor, low quality due to their condition or dead, and largely scattered specimens not forming part of the substantial groups of trees on which the TPO was designated. I am satisfied that the proposed development has been designed in such a manner that tree loss has been minimised. Indeed the existing landscape has been used positively to form a natural framework for the development.

I therefore conclude that the requirements of Policy ENV6 of the adopted LDP and Policy 34 of the proposed LDP have been addressed and that the proposal has an acceptable impact on site ecology.

## Built and Cultural Heritage Issues

When the application was submitted the key heritage features on the site were the former Ravenscraig Hospital listed building and, potentially, the "Bunston Knowe" landscape feature.

Listed Building Consent for demolition of the listed building was granted by the Planning Board meeting in November 2017 and demolition has commenced.

The applicant has ensured through the master-planning of the site that Bunston Knowe is not to be subject to development. The applicant's archaeological consultant considers that, on this basis, no further archaeological works are necessary. It is acknowledged by the applicant's consultants that the study was limited in scope and concentrated on this feature and I note concerns expressed in representations over the quality of the archaeological investigation, however the Council's archaeological consultant agrees that there are no significant historical references to Bunston Knowe and is content that any further antiquity value can be determined from a condition addressing a written scheme of investigation. This may demonstrate that there are no archaeological remains present and then there would be no requirement for any further archaeological works. If archaeological remains are discovered during the course of the evaluation there would be a requirement for further stages of archaeological works in order to excavate and record before development may proceed. This would also address concerns over a possible paupers' grave within the site.

On this basis I consider that the requirements of Policy HER7 of the adopted LDP and Policy 31 of the proposed LDP can be met. As the matter of the demolition of the listed building has been previously addressed under a separate application the requirements of Policy HER4 of the adopted LDP and Policy 29 of the proposed LDP have already been met. I am therefore satisfied that impacts on built and cultural heritage can be addressed.

#### Flooding and drainage

The applicant's consultants conclude that, based on information currently available, parts of the site could be at a risk of fluvial flooding or overland flow either directly as a result of run off from the hillside to the south or indirectly as a result of infrastructure failure. It is also noted that the watercourse on the western boundary could pose a flood risk to the access road. Due to the topography, however, the proposed buildings are not considered to be at risk. To mitigate the residual risk from the overland flow, the proposed development should allow overland flow routes, appropriately sized to convey flows through the site without posing a risk to the built development.

The Head of Environmental and Public Protection (Roads) has considered the flood risk assessment and drainage proposals and advises that he is satisfied that adequate provision has been made to ensure that concerns over flooding risk can be addressed. In view of this conclusion Network Rail's concerns over the potential impact of drainage on the adjacent railway line have been addressed. It should be noted that legal opinion has been sought by the applicant, informing that a specific approach to Network Rail over drainage connections is not required as the applicant has the necessary servitude right to connect into the existing drainage system. The Head of Legal and Property Services has considered and is satisfied with this opinion.

On this basis and subject to appropriate conditions on a grant of planning permission, I conclude that there are no flood risks or drainage concerns that would suggest planning permission should be refused. The proposal is therefore considered to accord with Policies INF4 and INF5 of the adopted LDP and Policies 8 and 9 of the proposed LDP.

#### Impacts on nearby residential properties

The potential relevant planning impacts on nearby residential properties relate to privacy, overshadowing, noise, pollution and other potential disturbances. This can also include external views into the site.

The closest point of any of the proposed dwellings to existing dwellings is approximately 27 metres, this being the distance between the westernmost cottage flat and an existing dwelling on Golspie Drive. To the north of the site the closest point of any of the proposed dwellings to existing dwellings is approximately 80 metres across both the railway and the trunk road. These distances are such to avoid any privacy implications or overshadowing. I am also satisfied that

there would accordingly be no detrimental impact on the visual amenity of neighbouring properties.

Concerns have been expressed over light pollution; the source of this would most likely be from street lighting which is under the control of the Council and will be addressed under the subsequent Roads Construction Consent. The proposed development would generate more traffic in this locale and this would have the effect of increasing car emissions. Such a development is an inevitable consequence of the desire for car ownership. It is not considered that the limited impacts on air quality would justify refusal of the proposal.

I am therefore satisfied that there will be an acceptable impact on adjacent residential properties.

#### Infrastructure capacities

This considers the ability of existing schools to accommodate the extra pupil places and the ability of other infrastructure, such as sewers and water, to service the development.

The Director of Education, Communities and Organisational Development is satisfied that catchment schools can accommodate expected pupil numbers for this site.

None of the utility companies have expressed concern over the capacity of their infrastructure to accommodate the development. It will be for the applicant to ensure that satisfactory connections can be made but, as a brownfield site, such connections should be readily available.

In considering connectivity, there is a small group of shops at Cumberland Road approximately 500 metres to the west of the site. This is regarded as a reasonable walking distance for most people to carry out basic shopping. If other shopping is required I am satisfied that the development site is located sufficiently close to public transport options for this to be carried out in a sustainable manner. Employment opportunities in the wider area may be accessed in the same manner, as can the centre of the town.

#### Other matters raised in consultation responses

The location of waste containers is evident in the application plans but their specification is under the control of other legislation. The same applies to concerns over external lighting, times and methods of working and sound insulation. These matters may be addressed by advisory notes on a grant of planning permission to go with those advisory notes already identified.

There are no other matters raised in consultation responses that require further comment and the remaining advice can be addressed mainly by advisory notes. Nothing has been raised by consultees to suggest that planning permission should not be granted.

#### Other issues

A wide range of issues has been raised in the representations, most of which have previously been addressed in this assessment.

Additionally concern is expressed over the adequacy of pre-application consultation, however the applicant has supplied the required pre-application consultation report which confirms that the public exhibition was advertised in the Greenock Telegraph and provides evidence of attendance at the exhibition and the representations made. I am therefore satisfied that the applicant undertook the necessary procedures required under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

Internal arrangements of the dwellings and their functionality relative to their associated gardens, Council Tax considerations, the financial circumstances of the applicant or the effects of their role in housing provision, the refurbishment of properties and use of sites elsewhere, the

impact on the valuation of properties and concerns over the possible behaviour of future tenants are not considerations material to determination of the application.

### Summary and conclusion

At a national level, Scottish Planning Policy reinforces the aims of the Scottish Government's National Planning Framework 3 to facilitate new housing development, requiring each housing market area to support the achievement of the housing land requirement across all tenures, maintaining at least a five year supply of effective housing land at all times. The Council's adopted and proposed Local Development Plans both identify this location as a housing development site which satisfies the requirements of the 2017 Clydeplan Strategic Development Plan.

With regard to the specific policies of the adopted and proposed Local Development Plans, I consider the location of the development, the overall design concept and the details thereof to be acceptable when assessed against Policies SDS3, SDS5, RES1, RES2, RES3, RES4 of the adopted LDP and Policies 1, 17, 18 and 20 of the proposed LDP. The site is accessible and the proposal will have no unacceptable impact on the roads network, and therefore accords with Policies TRA1 and TRA2 of the adopted LDP and Policies 10 and 11 of the proposed LDP. Aspects of site development related to contamination may be addressed by conditions, satisfying Policy 16 of the proposed LDP. I am satisfied that the site can be developed without undue adverse impact on flora and fauna and that the proposal has an acceptable impact on site ecology, thus complying with Policies ENV6 and ENV7 of the adopted LDP and 33 and 34 of the proposed LDP. Subject to an appropriate condition I am content that cultural heritage issues can be addressed ensuring compliance with the requirements of Policy HER7 of the adopted LDP and Policy 31 of the proposed LDP. I am also therefore satisfied that flooding and drainage related implications of the proposal can be addressed to allow compliance with Policies INF4 and INF5 of the adopted LDP, and 8 and 9 of the proposed LDP.

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. In reviewing the application, the supporting documentation, the consultee responses and the representations, it is concluded that the proposal accords with the Development Plan and that there are no material considerations which suggest that planning permission should not be granted.

### **RECOMMENDATION**

- A) That prior to the issuing of planning permission, a Section 75 Agreement shall be entered into requiring:

That the applicant finances upgrading of the Network Rail bridge at the north-eastern corner of the site to bring it up to adoptable standard; and on satisfactory completion the Council adopt maintenance and ownership of the bridge, all prior to the commencement of construction within the application site.

- B) That on registration of the Section 75 Agreement required by point A, the application be granted subject to the following conditions:

1. That prior to their use, samples of all facing materials to be used in the construction of the dwellings hereby permitted shall be submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter using the approved materials unless a variation is agreed in writing with the Planning Authority.
2. That prior to their use samples of all hard landscaping materials shall be submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless any alternative is agreed in writing with the Planning Authority.

3. That prior to the commencement of development full details of a phasing plan for all soft and hard landscaping and details of all management and maintenance arrangements, shall be submitted to and approved in writing by the Planning Authority.
4. That the landscaping scheme approved in terms of condition 3 above shall be implemented in full in accordance with a phasing plan to be agreed in writing by the Planning Authority prior to the commencement of development. Any of the planting which is damaged, is removed, becomes diseased or dies within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species.
5. That prior to the commencement of development, full details of the equipped play area, including details of management and maintenance arrangements, shall be submitted to and approved in writing by the Planning Authority including a phasing plan for provision of the play area. The play area shall subsequently be provided in accordance with the approved phasing plan.
6. That prior to the commencement of development, details of traffic calming measures shall be agreed in writing with the Planning Authority.
7. That no dwelling hereby permitted shall be occupied until the footway and road serving it is completed to sealed base course level.
8. That prior to the last of the dwellings in each of the "neighbourhoods" hereby permitted being occupied, all footways and roads serving the dwellings in that neighbourhood shall be completed to final wearing course level.
9. That all surface water drainage from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Manual (C697) (CIRIA 2007). Before development commences, details shall be submitted to and approved in writing by the Planning Authority of the maintenance regime for the water detention areas and all other surface water areas.
10. That all surface water originating within the site shall be intercepted within the site.
11. That prior to the commencement of development, confirmation of connection to the Scottish Water Network shall be submitted for approval.
12. That removal/retractable bollards shall be fitted at the north-easternmost access from Inverkip Road prior to the commencement of development. Details of the bollards shall be submitted to and approved in writing by the Planning Authority prior to their use.
13. That development shall not proceed until the agreed Japanese Knotweed control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.
14. That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme 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 current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.
15. That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a



collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.

16. That the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
17. That existing trees both within the development site and in the vicinity of the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012.
18. That no tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive, and all such works will be preceded by a check for nesting birds in accordance with the Nature Conservation (Scotland) Act 2014 and the protection of wildlife. No development shall take place until details of protection measures have been submitted to and approved in writing by the Planning Authority.
19. That no development shall take place within the development site as outline in red on the approved plans until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of the archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority and its archaeological advisor.
20. That the remote footpaths shown on the approved drawings shall be provided in accordance with a phasing plan to be submitted to and approved in writing by the Planning Authority. Full details of the means of connection and surfacing of the paths shall be submitted to and approved in writing by the Planning Authority prior to their provision.
21. That the recommendations contained within the Ecus Environmental Consultant's "Ecological Appraisal" dated February 2017 shall be implemented in full.
22. That the recommendations contained within the Echoes Ecology Ltd "Bat Survey" report, dated 25 July 2018 shall be implemented in full.
23. That no development shall take place on site until such time as details of a boundary fence adjacent to Network Rail's boundary has been submitted to and approved in writing by the Planning Authority. A suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary must be installed prior to occupation of the first dwelling hereby permitted and provision for the fence's future maintenance and renewal shall be made. Network Rail's existing boundary measure must not be removed without prior permission. The fencing shall be carried out only in full accordance with such approved details.
24. That drainage must be collected and diverted away from the railway unless through existing channels. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession"

which must be booked via Network Rail's Asset Protection Engineer and IS subject to a minimum prior notice period for booking of 20 weeks.

25. That the proposed development shall be limited to 200 dwellings.
26. That the proposed A78(T)/Branchton Road/Gleninver Road junction shall be constructed to a layout generally consistent with Drawing 120756/1016, dated 17 October 2018, forming part of the Transport Assessment and provided in support of application 18/0205/IC. The finalised junction layout, type and method of construction shall be submitted for approval by the Planning Authority, in consultation with Transport Scotland, as Trunk Road Authority, before any part of the development is commenced.
27. That the proposed A78(T)/proposed development emergency access junction shall be constructed to a layout generally consistent with Drawing 120756/1002 A, dated 22 November 2017, forming part of the Transport assessment and provided in support of application 18/0205/IC. The finalised junction layout, type and method of construction shall be submitted for approval by the Planning Authority, in consultation with Transport Scotland, as Trunk Road Authority, before any part of the development is commenced.
28. That no part of the development shall be occupied until a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Road Authority. In particular this Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.
29. That prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.
30. That there shall be no drainage connections to the trunk road drainage system.
31. That prior to the commencement of the construction period, a Construction Traffic Management Plan (CTMP) shall be prepared and agreed in consultation with the Local Authority and Transport Scotland.
32. That notwithstanding the terms of condition 1 above, the variation in bricks across the development shall be as per background paper annexe 1, dated 17 January 2019.
33. That prior to the commencement of development full details, including a timetable for provision of the remote footpaths, shall be submitted to and approved in writing by the Planning Authority.

#### Reasons

1. In the interests of visual amenity.
2. To ensure the suitability of these materials.
3. To ensure the timely provision of an adequate landscaping scheme in the interests of visual amenity.
4. To ensure retention of the approved landscaping scheme.
5. To ensure the provision of adequate play facilities.
6. In the interests of traffic and pedestrian safety.
7. To ensure the provision of adequate traffic and pedestrian facilities.

8. To ensure the provision of adequate traffic and pedestrian facilities.
9. To control runoff from the site to reduce the risk of flooding.
10. To control runoff from the site to reduce the risk of flooding.
11. To ensure adequate service connections can be achieved.
12. To ensure that this access is for emergency vehicular use only in order that the site is developed in accordance with the approved transport strategy.
13. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
14. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
15. To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.
16. To ensure that all contamination issues are recorded and dealt with appropriately.
17. To ensure preservation of the trees not to be removed.
18. In the interests of wildlife protection.
19. In the interests of antiquity.
20. To ensure the provision of adequate footpath connections.
21. In the interests of wildlife protection.
22. In the interests of wildlife protection.
23. In the interests of public safety and the protection of Network Rail infrastructure.
24. In the interests of public safety and the protection of Network Rail infrastructure.
25. To restrict the scale of the development to that suited to the layout of the existing access and minimise interference with the safety and free flow of traffic on the trunk road.
26. To minimise interference with the safety and free flow of the traffic on the trunk road.
27. To minimise interference with the safety and free flow of the traffic on the trunk road.
28. To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.
29. To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.
30. To ensure that the efficiency of the existing drainage network is not affected.
31. To minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities; and to be consistent with current guidance and best practice.
32. In the interests of creating a sense of place.

33. To ensure the safe provision of these footpaths.

Stuart Jamieson  
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Ashman on 01475 712416.