

**Report To: The Planning Board**

**Date: 5 February 2020**

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

**Report No: 19/0201/IC**

**Local Application  
Development**

**Contact Officer: James McColl**

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**Subject: New build community centre including associated external landscaping works, demolition of existing building and extension of existing car park at Craigend Resource Centre, McLeod Street, Greenock**



### **SUMMARY**

- The proposal complies with the intent of the Inverclyde Local Development Plan.
- One representation has been submitted providing comments on flooding, impact on neighbours and potential environmental improvements.
- Consultations received present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=PVRQ5OIMMKG00>

## **SITE DESCRIPTION**

Lying to the head of McLeod Street, Greenock, and extending to an area of approximately 0.43 hectares, the application site comprises a single storey community centre building with associated car park and curtilage, together with a toddlers' play area and an area of open space primarily laid to grass. A variety of one, two and three storey dwellinghouses and flats lie adjacent to the site on Sinclair Street, Quarrier Street and Ladyburn Street together with open space and a kickabout area. The Glasgow to Gourock railway line lies to the north of the site and the Lady Burn to the south.

## **PROPOSAL**

It is proposed to erect a replacement community centre building to the rear of the current building on ground currently occupied by a toddlers' play area laid out as open space. The proposed building has an external footprint of around 760 square metres, is single storey, is designed as a set of three gables and will have a floor to ridge height of around 6.3 metres. At the highest point relative to the lowest point of the adjacent ground level to the rear, the building extends to around 8.3 metres in height.

Externally, the building is finished primarily in dark standing seam metal cladding which extends across both the external walls and the roof. The frontage of the building and entrance is defined by a large glazed area with perforated metal panels and metal canopy feature to give an interesting and contemporary appearance. A dark brick basecourse will be featured where levels allow. Window frames throughout the building will also be finished in a dark colour. The applicant advises that the building has been designed to respond to both the historical warehouse forms in the area and the surrounding residential context in a contemporary format.

The existing building will remain in use until the completion of the new building. Thereafter, the existing building will be demolished allowing the existing car park to be expanded to provide 27 car parking spaces, which links to the front of the new building by footpaths and ramps within a setting of soft landscaping. The existing small play park will be relocated to a new position adjacent to the new building. A free standing bin store and external plant area will be provided to the rear of the building.

The new building will provide a range of facilities including a multifunction hall, café, laundry, crèche, IT room and training kitchen together with reception area, WC facilities, plant room and circulation space.

## **DEVELOPMENT PLAN POLICIES**

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

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

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

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

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

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the

amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Policy 21 - Community Facilities**

Proposals for the new community facilities identified in Schedule 5 will be supported. Community facilities in other locations will be supported where the location is appropriate in terms of avoiding adverse impact on the amenity and operation of existing and surrounding uses, and where it can be reached conveniently by walking, cycling or public transport by its proposed users.

Proposals that would result in the loss of a community facility will need to demonstrate that the facility is no longer required for the existing or an alternative community use.

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

### Natura 2000 sites

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

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

In such cases, the Scottish Ministers must be notified.

### Sites of Special Scientific Interest

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

### Protected Species

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

### Local Nature Conservation Sites

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

### Local Landscape Area

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

### Non-designated sites

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

## **Policy 35 - Open Spaces and Outdoor Sports Facilities**

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

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

Outdoor sports facilities will be safeguarded from development except where:

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

## **Policy 36 - Delivering Green Infrastructure Through New Development**

The Council supports the integration of green infrastructure into new development and will require green infrastructure to be provided in association with new development in accordance with the relevant Supplementary Guidance.

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

At the time of application submission, the 2014 Inverclyde Local Development Plan formed part of the Development Plan against which planning applications required to be assessed.

## **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 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 ENV3 - Safeguarding and Enhancing the Green Network**

Inverclyde Council will support, safeguard and where practicable, enhance Green Network links in accordance with Supplementary Guidance on the Green Network.

The provision of the Green Network should be a core component of any master plan or Local Development Framework. Where development proposals would encroach upon or undermine the green network, alternative routes and green space will be expected to be provided or enabled. The Council will also seek to complete the following Green Network links as shown on the Proposals Map:

- (a) Custom House Quay, Greenock - Clyde Muirshiel Regional Park
- (b) Victoria Harbour, Greenock - Clyde Muirshiel Regional Park
- (c) Coronation Park, Port Glasgow - Clyde Muirshiel Regional Park
- (d) Spango Valley (Valley Park) - Clyde Muirshiel Regional Park
- (e) Inverclyde Coastal Route: Inverkip Power Station - Ardgowan Road/Brueacre Road; Kempock Point, Gourock and James Watt Dock - Graving Dock, Greenock.

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

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

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

### **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 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.

## **CONSULTATIONS**

**Head of Service – Roads and Transportation** - No objections. A number of points are raised as follows:

1. The level of parking provided is acceptable with reference to the National Guidelines for a Community Centre (Class 10).
2. Parking bays should be 5 metres x 2.5 metres with 6 metre aisle spacing.
3. Ramps should have a maximum gradient of 10% and should be no more than 6 metres long and a minimum width of 1.4 metres with a platform of a minimum of 1.35 metres by 1.35 metres. A 50mm handrail should be set 1 metre above a ramp.
4. The proposed development will have an impact on the existing streetlighting and accordingly a lighting and electrical design for adoptable areas will be required. A system of lighting shall be kept operational at all times within the existing public adopted areas.
5. Flooding and drainage matters are addressed subject to conditions in respect of drawings showing drainage details, the drainage maintenance regime and confirmation of Scottish Water's acceptance.

**Head of Environmental and Public Protection (Environmental Health)** – No objections. Conditions in respect of Japanese Knotweed, ground contamination and external lighting are recommended. It is noted that historical demolition deposits are likely and in the eastern area of site there is an infilled reservoir (unknown deposits) with potential soil/water contamination and ground gas concerns.

**Network Rail** - No objections in principle however due to its proximity to the operational railway it is requested that the following matters are taken into account, and if necessary and appropriate included as advisory notes if granting the application:

- Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.
- Buildings should be situated at least 2 metres from Network Rail's boundary. The applicant must ensure that the construction and subsequent maintenance of proposed buildings can be carried out without adversely affecting the safety of, or encroaching upon, Network Rail's adjacent land.
- Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- 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 Environment Protection Agency West** - No objection on flood risk grounds. Notwithstanding this, it is expected Inverclyde Council undertakes its responsibilities as the Flood Risk Management Authority.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 6th September 2019 as there are no premises on neighbouring land.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

One representation has been received. Whilst there is no objection, a range of points are raised as follows:

- The proposal may cause additional flooding within the vicinity of the site.
- Whilst the expected increase in footfall is unspecified, it may cause additional activity close to adjacent windows.
- Improvements should be made to the Lady Burn the banks of which are littered and heavily overgrown.
- The wooden bridge over the Lady Burn is in poor condition and can be dangerous in icy conditions.
- There is the opportunity to remove the existing footpath in close proximity to adjacent dwellings in favour of one on one side of the burn only.

I will consider these points in my assessment.

## **ASSESSMENT**

The material considerations in the determination of this application are the Inverclyde Local Development Plan, the visual impact, the amenity of neighbouring residents, the consultation responses and the applicant's supporting documentation.

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 application site is located within an area identified on the Local Development Plan Proposals Map as open space. Policy 35 advises that development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity. The site is positioned in a compact area of open space which includes play area, kickabout area, outdoor seating; it forms part of the green network in providing an attractive green wedge within the urban area and an area for recreation and enjoying outside space. The proposed new building has a larger footprint than that of the existing building, the site of which will be utilised primarily for the expanded car park. Accordingly, the proposal will result in the loss of open



space which is considered to be of quality and value. As the development does not include the provision of any additional or enhanced open space to mitigate against the loss, it therefore rests to consider whether there are any material considerations which indicate that planning permission should be granted contrary to Policy 35 of the Local Development Plan.

In support of the application, the applicant advises that the existing building was completed in 1994 and is a modular construction of timber framed overclad insulated boxes. Whilst the building is of reasonable condition and maintained to a good standard, the modular element was designed with a life span of around 25 years. Subject to a full investigative survey, it is expected that the existing building could, however, last a further 10 to 15 years with good maintenance. It is further advised that the Craigend Response Centre provides a valuable range of services to the local community including learning programmes, social and recreational activities, community café, launderette, crèche and information and advice services. In addition to the limited lifespan of the building, the lack of available space within it restricts potential for growth and expansion in continuing to meet the needs of the community. It is indicated that the proposal will provide a vibrant, fit-for-purpose asset which will be flexible allowing service provision to change in response to need over time.



A community centre building is the type of facility that is often characteristically found within a residential area, allowing it to be easily accessible within the community it serves. Considering residential amenity, whilst the area is primarily residential in character, the existing building has been established on this site for around 25 years. There already is an established level of activity and therefore not the same degree of quietude as would be experienced within an exclusively residential area. The existing area of open space inclusive of play area and games area also bring activity. Whilst the expanded facility will likely result in an increase in both patronage and the services offered, and whilst the new building is positioned in closer proximity to the nearest residential building on Ladyburn Street, I consider that sufficient separation remains (circa 25 metres at the closest point) to ensure that undue disturbance does not occur to neighbouring residential properties. I am similarly satisfied that there is sufficient separation between the expanded car park and the neighbouring dwellings on McLeod Street and Sinclair Street. I note the point raised in the representation that the increase in patronage may result in additional pedestrian traffic passing neighbouring residential properties. A variety of footpaths exist within the area and, accordingly, pedestrian activity will not be focussed on a sole access route. I do not consider pedestrians using an existing footpath to warrant the refusal of the application. Whilst I note the suggestion in the representation to remove footpaths in close proximity to residential properties, these are not within the application site and their removal

would reduce access and permeability through the area. I am further satisfied that the scale and position of the building would not lead to any loss of daylight or sunlight to neighbouring residential properties. I therefore consider that, in principle, the building is compatible with the wider area and would not be to the unacceptable detriment of the character and residential amenity.

Considering design, the low rise appearance is appropriate for the locality and follows that of the existing building. The contemporary approach to the design is supported. The design detail provides interest and will create a distinctive new development which is the focal point of its setting but one which does not dominate the locality. Three roof mounted windcatchers provide ventilation to the building. The final detailed design of the windcatchers can be addressed by condition to ensure that they are of an appropriate appearance for the wider design of the building. A landscaping scheme will also provide a setting for the new building. This includes a hard landscaped area to the front of the building described by the applicant as a "terraced boulevard". This will be the main outdoor area associated with the new building providing a point of arrival in approaching the front elevation. The area will take the form of a chequerboard grid which will step down to the burn to the side and include landscaping inclusive of new trees, seating and raised beds. Whilst final details of the final form of the hard and soft landscaping have not been submitted, this can be addressed by condition. Levels across the site are addressed with a variety of relatively gentle inclines and via features formed as part of the hard and soft landscaping arrangement. The existing play park adjacent to the current building will be removed with an alternative facility being provided within the northern part of the site. This will be of an equivalent size to the existing ensuring no loss of facility and some of the existing equipment will be reused. The final details of the play park together with its implementation can be addressed by condition.

The car park is also off-set relative to the front elevation and this ensures that the frontage of the building when approaching on McLeod Street is not dominated by parking. Overall, the design detail of the building and external space contributes to the creation of a successful place in accordance with Policy 1 of the Local Development Plan. The landscaping proposals will also ensure that the building integrates into the wider area of open space. Bins and external plant will also be appropriately screened to the rear of the new building. The final design and the enclosures and specification of any external plant can be addressed by condition. I consider that the new building will have a positive contribution to the appearance of the area.

Turning to parking and road safety, the Head of Service – Roads and Transportation is content with the level of off street parking provision together with the access via McLeod Street. Parking spaces and aisle width are appropriate. A condition can address the make-up of any ramps and it is noted that no inclines greater than 1 in 20 are proposed. The applicant indicates that the existing building will be retained until such times as the new building is complete and it is noted that the existing centre is well used and the frontage can be heavily parked. It will require to be ensured that the car park remains available for use by patrons during the works and a programme for the completion of the extended car park will also require to be agreed. Whilst I acknowledge this will present a logistical challenge, I am satisfied that this can be addressed by condition. Subject to this compliance with the requirements of Policy 11 is achieved. Matters in respect of street lighting will be addressed via separate legislation.

Considering sustainability and active travel, provision for cycle parking can be addressed by condition. Local bus services operate from Sinclair Street with bus stops adjacent to the junction with McLeod Street, just over 100 metres from the site. Carlsdyke railway station is also only a 10 minute walk away. Whilst recognising that the facility is primarily aimed at the community within which it is situated and that many patrons will walk to the centre, I am satisfied that the site is accessible by means other than the private car and there is no conflict with Policy 10. Overall, I am also satisfied that compliance with Policy 21 is achieved.

Turning to flooding and drainage, SEPA notes that the development avoids the functional floodplain and offers no objections on the grounds of flood risk. The Head of Service – Roads and Transportation is also satisfied that flooding and drainage are appropriately addressed and that outstanding matters in respect of the final drainage detail, maintenance regime and demonstrating

Scottish Water's acceptance can be addressed by condition. I therefore consider that the proposal is compliant with Policies 8 and 9 of the Local Development Plan.

The site adjoins a railway embankment to the north and Network Rail offer no objections in principle subject to a number of matters being taken into account and included as advisory notes. The buildings are situated in excess of two metres from the site boundary in accordance with Network Rail advice. The requirement for the demolition of the building to be carried out in accordance with an agreed method statement approved by Network Rail's Asset Protection Engineer and for construction works to be undertaken in a failsafe manner which does not disturb the operation of the railway can be addressed by advisory note. I note the advice of the Head of Environmental and Public Protection (Environmental Health) that historical demolition deposits are likely and in the eastern area of site an infilled reservoir is located with potential soil and water contamination, and ground gas concerns. This can be addressed by condition. In this respect, I consider that the proposals comply with the requirements of Policy 16 of the Local Development Plan. Matters relating to external lighting can be addressed by advisory note.



Considering biodiversity, the application site is situated within an urban location and comprises a modern, occupied building (albeit one designed with a limited life span) which is in good external condition together with car park and mown grassed areas. There are no works to the Lady Burn or its banks and existing shrub and tree planting on the site is limited. Subject to a condition to ensure an appropriate check for nesting birds, I am satisfied that there will be no potential for an adverse impact on biodiversity or protected species and thus no conflict with Policy 33.

Turning to the outstanding points raised in the representation received, the Lady Burn, its banks and wooden bridge are not within the application site and are thus out with the scope of this proposal. Matters in respect of the maintenance and improvement of these areas are ones to be addressed separately to this planning application.

To summarise, the proposal will result in the loss of open space which is considered to be of quality and value and the development does not include the provision of any additional or enhanced open space within the development or its vicinity. However, the provision of the new, expanded community facility at this location will be to the significant benefit to the local community which it serves. Having assessed matters pertaining to design, impact on residential amenity, ecology, transport and parking, flooding and drainage, and ground contamination, I am satisfied that the development is fully

compliant with other Local Development Plan policies. These policies continue the approach of the previously adopted 2014 Local Development Plan. The development will incorporate hard and soft landscaping which will provide a setting to for the new building, provide a high quality amenity space adjacent to the building, and the new planting will retain the function as a part of the green network in providing an attractive green wedge within the urban area. Consequently, I consider that the benefits of this new facility are either supportive of principles established or compliant with requirements of Local Development Plan policies 1, 8, 9, 10,11, 16, 21 and 33 and that this will offset the loss of a small area of open space at this location which conflicts with Policy 35.

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. I consider that, in this instance, the proposal complies with the overall intent of the Local Development Plan. Whilst I am also mindful of the points raised in the representation received, it is considered that planning permission should be granted subject to the conditions below.

## **RECOMMENDATION**

That the application be granted subject to the following conditions:

1. Prior to their use on site, samples of all external materials (inclusive of all walls, paving and hard surfacing) shall be submitted to and approved in writing by the Planning Authority. Development thereafter shall proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority.
2. That prior to the commencement of works on site, full details of a hard and soft landscaping scheme together with a detailed programme for implementation shall be submitted to and approved in writing by the Planning Authority. The hard and soft landscaping scheme shall then be implemented as approved and be retained on site at all times thereafter unless otherwise first agreed in writing by the Planning Authority.
3. That prior to the commencement of works on site, full details of the landscape maintenance regime shall be submitted to and approved in writing by the Planning Authority. Maintenance shall then commence on the completion of the landscaping and be undertaken as approved at all times thereafter to the satisfaction of the Planning Authority.
4. In respect of the approved landscaping arrangement, any specimens that in the subsequent 5 years die, become diseased are removed 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 an alternative.
5. That prior to the commencement of works on site full details of the design of the bin store and the windcatchers shall be submitted to and approved in writing by the Planning Authority. Development thereafter shall proceed as approved unless otherwise first agreed in writing by the Planning Authority.
6. That prior to the commencement of works on site full details of the design of the plant enclosure together with the detailed specification of the plant shall be submitted to and approved in writing by the Planning Authority. Development thereafter shall proceed as approved unless otherwise first agreed in writing by the Planning Authority.
7. That prior to the commencement of works on site, full details of the phasing of the development shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the car park shall remain available for use at all times. Development thereafter shall proceed as approved unless otherwise first agreed in writing by the Planning Authority.

8. That prior to the commencement of works on site, full details of the proposed play park, inclusive of equipment schedule, shall be submitted to and approved in writing by the Planning Authority. The play park shall be formed in accordance with the approved drawings and be available for use in accordance with the approved phasing of the development under Condition 7 above and be retained on site at all times thereafter unless otherwise first agreed in writing by the Planning Authority.
9. That prior to the commencement of works on site, full details of the management of car parking on site for both the existing building during construction works and for the new building, should it open prior to the demolition of the existing building and completion of the car park hereby permitted, shall be submitted to and approved in writing by the Planning Authority. Car parking shall then be managed as approved unless otherwise first agreed in writing by the Planning Authority.
10. That the proposed car park shall be formed in accordance with the approved drawings and be available for use in accordance with the approved phasing of the development under Condition 7 above and be retained on site at all times thereafter unless otherwise first agreed in writing by the Planning Authority.
11. Car parking spaces shall be a minimum of 5 metres by 2.5 metres with an aisle spacing of a minimum of 6 metres.
12. That prior to the commencement of works on site, full details of cycle parking provision shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved and the cycle parking provision shall be retained on site at all times thereafter unless otherwise first agreed in writing by the Planning Authority.
13. That prior to the commencement of works on site, full details of any proposed ramps shall be submitted to and approved in writing by the Planning Authority. Works thereafter shall proceed as approved unless otherwise first agreed in writing by the Planning Authority. For the avoidance of doubt, any ramps shall have a maximum gradient of 10%, shall be not more than 6 metres long, shall have a minimum width of 1.4 metres and shall have platforms of a minimum of 1.35 metres by 1.35 metres. A 50mm handrail shall be set 1 metre above a ramp.
14. That prior to the commencement of works on site, full drainage detail drawings in accordance with CIRIA C753, the SUDS Manual and Sewers for Scotland shall be submitted to and approved in writing by the Planning Authority. Works shall then proceed as approved unless otherwise first agreed in writing by the Planning Authority.
15. That prior to the commencement of works on site the maintenance regime for the site shall be submitted to and approved in writing by the Planning Authority. Maintenance shall then be undertaken as approved at all times thereafter to the satisfaction of the Planning Authority.
16. That prior to the commencement of works on site confirmation of the Scottish Water acceptance of the proposals shall be submitted to the Planning Authority.
17. No site clearance or demolition works shall be undertaken during the bird nesting season March to September inclusive unless first agreed in writing by the Planning Authority. For the avoidance of doubt, any such agreement will require a full nesting bird survey prior to the commencement of works on site, the methodology and findings of which shall be submitted to the Planning Authority.
18. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are

implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority, prior to implementation.

19. 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.
20. 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.
21. 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.

#### Reasons

1. To ensure the external materials are appropriate for the development in the interests of visual amenity.
2. To ensure the provision of an appropriate landscaping scheme in the interests of visual amenity.
3. To ensure the maintenance of the landscaping scheme in the interests of visual amenity.
4. To ensure the retention of the landscaping scheme in the interests of visual amenity.
5. To ensure a suitable appearance of the bin store and windcatchers in the interests of visual amenity.
6. To ensure a suitable appearance of the plant area and appropriate plant specification in the interests of visual and residential amenity.
7. To ensure the appropriate phasing of the development.
8. To ensure suitable replacement play provision on site.
9. To ensure suitable parking provision during the works in the interests of road safety.
10. To ensure suitable parking provision for the new development in the interests of road safety.
11. To ensure the usability of the car parking spaces in the interests of road safety.

12. To ensure suitable cycle parking provision in the interests of encouraging active travel.
13. To ensure the suitability of ramped access where provided.
14. To ensure the adequacy of the drainage details in the interests of avoiding flooding.
15. To ensure the adequacy of the drainage maintenance regime in the interests of avoiding flooding.
16. To ensure Scottish Water acceptance of the drainage proposals in the interests of avoiding flooding.
17. To avoid disturbance to nesting birds.
18. To help arrest the spread of Japanese Knotweed in the interests of environmental protection
19. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
20. 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.
21. To ensure that all contamination issues are recorded and dealt with appropriately.

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Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact James McColl on 01475 712462.