



## **SITE DESCRIPTION**

The former Craigmushat Quarry, Gourock, is located at Tower Hill, which is part of an area of open space designated in the 2019 Inverclyde Local Development Plan.

Not visible from nearby streets or housing, the application site is part of the former quarry and sits in a hollow. Vehicular access is from Broomberry Drive.

Quarrying works ending around 1975 and landfill operations commenced in 1987, finishing in 1996 after which the site was capped. In 1996 deemed permission was granted for the installation of an active gas management system to flare landfill emissions.

## **PROPOSAL**

Planning permission is sought to use an area of approximately 1,200 square metres as a permanent recycling centre for domestic/household waste. The site is roughly circular and comprises a section of access road and associated hardstanding. The site will contain large waste containers and skips covering the full range of recyclable materials, including paper, glass, plastic and household white goods. There is to be a small staff shelter portable building, measuring 2.896 metres by 2.896 metres by 2.54 metres high, a small WC and a site generator, all located close to the site entrance. Entry to the site is controlled by lockable gates.

A sloping access road connects the site to Broomberry Drive.

In a supporting statement the applicant advises that the site will be continually manned with the gated entry to the recycling centre and a barrier across the road locked every night. The proposed operating hours vary by season with the longest opening hours from 08:00 – 20:00 in summer.

## **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 7 - Waste Reduction and Management**

Proposals for waste management facilities will be supported where they:

- a support the national Zero Waste Plan and promote the waste hierarchy;
- b enable the management of waste closer to where it arises;
- c avoid significant adverse impact on the amenity and operations of existing and adjacent uses and the road network; and
- d avoid significant adverse impact on historic buildings and places and the green network and our natural open spaces.

Where necessary, proposals should demonstrate how any site affected by the proposal will be fully restored through an appropriate aftercare programme and a financial guarantee to ensure its implementation.

Where applicable, the design and layout of new development must enable the separation, storage and collection of waste in a manner that promotes the waste hierarchy. Opportunities for integrating efficient energy and waste innovations within business environments will be encouraged.

## **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 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.

## **2014 Inverclyde Local Development Plan**

The 2014 Inverclyde Local Development Plan previously 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 SDS5 - Development within the Urban Area**

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

## **Policy TRA2 - Sustainable Access**

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

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

## **Policy 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 INF3 - Waste Management Facilities**

Proposals for the development of waste management facilities will be considered against the following criteria:

- (a) compliance with the principles of the Scottish Government's Zero Waste Plan;
- (b) the facility being primarily required to cater for waste arising in Inverclyde;
- (c) there being no adverse impact on residential amenity;
- (d) there being no adverse impact on the natural or built heritage, including the landscape; and
- (e) where necessary, an acceptable restoration plan for the site will be required.

## **CONSULTATIONS**

**Head of Service – Roads and Transportation** – The following comments have been provided:

- All roads within the site shall be a minimum of 5.5m wide.
- All footways within the site shall be a minimum of 2.0m wide.
- Applicant to show layout of site for vehicle unloading, and skips.
- Applicant to provide a tracking drawing showing the turning of large vehicles.
- Applicant to show the visibility splay of 2.4m x 43.0m x 1.05m on to Broomberry Drive can be achieved.
- All surface water to be contained within site.
- Give-way markings should be painted at the junction of the quarry road and Broomberry Drive.
- Any vegetation overhanging the quarry road shall be cutback and maintained to ensure free movement along the road accessing the site.

**Head of Environmental and Public Protection (Environmental Health)** – no objection, subject to conditions in respect of Japanese Knotweed, contamination investigation and external lighting. Advisory notes are suggested in respect of site drainage, vermin and gull control and the Construction (Design & Management) Regulations 2015.

**Scottish Environment Protection Agency West** – No objection.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 29th November 2019 as a Schedule 3 development.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

Two representations have been received; one objection and one neutral. The objector is concerned that unless the site is manned full-time the condition will deteriorate with fly-tipping occurring. Use of the site at George Road should be encouraged instead.

SP Energy Networks, notified as a neighbour, has no objection but notes that there are distribution cables in the vicinity.

## **ASSESSMENT**

The material considerations in determination of this application are the Inverclyde Local Development Plan (LDP), the consultee replies, the representations and the applicant's supporting information. 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 of open space under Policy 35 of the LDP. This indicates that development proposals that will result in a 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 value is provided within the development or its vicinity. Also of relevance is Policy 16, which states that 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 has set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use.



Reference is also required to Policy 7 in respect of waste management and reduction. Such facilities are to be supported where they follow the national Zero Waste Plan, promote the waste hierarchy, enable the management of waste closer to where it arises, avoid significant adverse impact on the amenity and operations of existing and adjacent uses and the road network, and avoid significant adverse impact on historic buildings and places, the green network and natural open spaces.

Where necessary, proposals should demonstrate how any site affected will be fully restored through an appropriate aftercare programme with a financial guarantee to ensure its implementation. Where applicable, the design and layout of new development must enable the separation, storage and collection of waste in a manner that promotes the waste hierarchy.

Opportunities for integrating efficient energy and waste innovations within business environments will be encouraged.

Finally, the proposal requires to be assessed with respect to Policy 1, which requires all development to have regard to the six qualities of successful places. The relevant factors are being “resource efficient” through providing space for the separation and collection of waste, and being “safe and pleasant”, through avoiding conflict between adjacent uses by having regard to noise, smell, vibration, dust, air quality, flooding, invasion of privacy or overshadowing.

Firstly, in considering the open space designation of the site I note that this extends to the Tower Hill Park to the west and south-west. While the application site is an integral part of a wider area of open space, there is a divergence in its nature and quality. Tower Hill Park is a significant area of mature open space comprising established parkland with a mix of tree species and bushes. The application site is an area of road and hardstanding at the bottom of the quarry; it is readily identifiable as a development platform which, being set at a lower level located in the recessed hollow created by the former quarry, does not impact on the open nature of the Park.

On this basis I would conclude that although in principle the development does not comply with Policy 35 of the LDP, it would not detract from the more natural and spacious character of the open space and would not result in the loss of land of quality or value to Tower Hill Park. It is therefore appropriate to assess the acceptability of the proposal against policies 1, 7 and 16 of the LDP.



Whilst the application site has previously been used for landfill and therefore has the potential for contamination, I note that the Head of Environmental and Public Protection (Environmental Health) has no objection subject to the imposition of conditions in respect of Japanese Knotweed and the investigation of contamination. This approach and the obligations on the applicant to comply via conditions addresses the requirements of Policy 16.

With reference to Policy 7 I am satisfied, based on the supporting information, that the proposal supports the National Zero Waste Plan and promotes the waste hierarchy. It enables the management of waste closer to where it arises; it avoids significant adverse impact on the amenity and operations of existing and adjacent uses and the road network; it has no impact on historic buildings and it does not adversely impact the green network and natural open spaces.

The design and layout enable the separation, storage and collection of waste in a manner that promotes the waste hierarchy and, while this is to be a permanent site under the control of the

Council, the nature of the operations ensures that full restoration of the site can be achieved should the facility close.

It therefore follows that, with reference to Policy 1, the proposal is resource efficient in providing an appropriately located waste facility. There is no basis to conclude that the site will generate significant disturbance, with the only noise likely to come from vehicle comings and goings and operations within the site itself. The nearest houses are approximately 35 metres distant to the north-west and screened by landform and vegetation which will act as noise and visual buffers. Overall, I am satisfied that no impacts from odour, vibration, dust, air quality, flooding, invasion of privacy or overshadowing are likely to occur. It is further noted that previously there was a recycling point on the access road closer to the connection with Broomberry Drive which would have had far greater residential amenity impact than what is now proposed.

I conclude that the proposal, while not in accord with Policy 35 meets the requirements of Policies 1, 7 and 16, so therefore is in compliance with the overall intent of the Plan. This reflects the approach taken in the 2014 LDP.

It remains to be considered, however, if there are any outstanding material considerations which suggest that planning permission should not be granted. Firstly, the consultation responses present no impediment to development. Considering public comment, I note that a staff shelter and WC is to form part of the development and that the site will be permanently manned. Furthermore, there are lockable gates and barriers. This will allow for monitoring of any fly tipping. Whilst I note the objector's preference that the George Road site be used as an alternative, the application requires to be considered on merit. The presence of electricity cables can be brought to the attention of the applicant by advisory note.

In conclusion, 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 this instance I consider that the proposal is in compliance with the overall intent of the Development Plan and there are no other material considerations which suggest that planning permission should not be granted.

## **RECOMMENDATION**

That the application be granted, subject to the following conditions:

1. 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.
2. 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.
3. 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.

4. 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.
5. That all roads within the site shall be a minimum of 5.5m wide and all footways shall be a minimum of 2.0m wide.
6. That a visibility splay of 2.4m x 43.0m x 1.05m on to Broomberry Drive shall be provided at all times.
7. That give way markings shall be painted at the junction of the quarry road and Broomberry Drive prior to the commencement of development.
8. That any vegetation overhanging the quarry road shall be cutback to rear of footway level prior to the commencement of development and shall be maintained thereafter.
9. That all surface water shall be contained within the site.
10. That the site shall not operate outwith the hours of 08:00 to 20:00.

#### Reasons

1. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
2. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
3. 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.
4. To ensure that all contamination issues are recorded and dealt with appropriately.
5. In the interests of vehicular and pedestrian safety.
- 6 & 7 In the interests of vehicular safety.
- 8 & 9 In the interests of vehicular and pedestrian safety.
10. In the interests of adjoining residential amenity.

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.