

A meeting of the Planning Board will be held on Wednesday 4 March 2020 at 3pm within the Municipal Buildings, Greenock.

GERARD MALONE
Head of Legal & Property Services

BUSINESS

1.	Apologies, Substitutions and Declarations of Interest	Page
2.	Planning Applications Reports by Head of Regeneration & Planning on applications for planning permission as follows:-	
(a)	Inverclyde Council Use of derelict landfill site with existing road access off main road as a recycling centre for domestic/household waste for local residents: Craigmuschat Quarry, Broomberry Drive, Gourrock (19/0292/IC)	p
(b)	Oak Tree Housing Association Residential development comprising 69 new build two-storey dwellings (houses and cottage flats) with associated new access roads and landscaping: Tay Street and Tweed Street, Greenock (19/0167/IC)	p
(c)	Inverclyde Council Creation of a new build single-storey Early Years Centre for 100 pupils with associated parking, landscaping and infrastructure: Land at Stafford Road, Greenock (19/0171/IC)	p

Enquiries to – **Rona McGhee** – Tel 01475 712113

Report To: The Planning Board **Date:** 4 March 2020

Report By: Head of Regeneration and Planning **Report No:** 19/0292/IC
Local Application Development

Contact Officer: David Ashman **Contact No:** 01475 712416

Subject: Use of derelict landfill site with existing road access off main road as a recycling centre for domestic/household waste for local residents at Craigmuschat Quarry, Broomberry Drive, Gourrock



SUMMARY

- The proposal complies with the intent of the Inverclyde Local Development Plan.
- Two representations have been received; one objection and one neutral. There is concern over site maintenance and fly tipping.
- Consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=Q0N7XCIMFPD00>

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.

Report **The Planning Board**

Date: **4 March 2020**

To:

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

Report No: **19/0167/IC**

**Major Application
Development**

Contact **James McColl**
Officer:

Contact No: **01475 712462**

Subject: **Residential development comprising 69 new build two-storey dwellings
(houses and cottage flats) with associated new access roads and landscaping
at**

Tay Street and Tweed Street, Greenock



Crown Copyright All rights reserved Licence No 10023421 2019

SUMMARY

- The proposal complies with the intent of the Inverclyde Local Development Plan.
- No representations have been received.
- Consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=PTEIPGIMM2T00>

SITE DESCRIPTION

Extending to an area of approximately 2.86 hectares, the application site lies on Tay Street and Tweed Street, Greenock, immediately to the west of Ness Street. The site was formerly occupied by of flatted residential blocks ranging from four to ten storeys in height and which were demolished approximately 15 years ago. Formed of rough grass, scrub and small trees, overall, the site is in poor condition with evidence of fly tipping and bonfires. The north-western section and the area to the east of Tay Street both feature densely planted small trees which are in a poor condition.

Levels vary significantly across the site. A grassy mound positioned immediately to the north of Tweed Street is the highest point before the land generally slopes downwards, with the lowest points within the north-western corner and to the south of Tweed Street and east of Tay Street.

To the north and northwest, the site is bound by a brick and stone wall, beyond which is Greenock Cemetery. To the west is Greenock Golf Course bound by a palisade fence. The site adjoins housing to the east and south, comprising two-storey semi-detached and terraced dwellings finished externally in render and a concrete tile roof. Open ground lies beyond Tay Street to the south. An electrical substation lies within the site to the west of Tay Street.

PROPOSAL

It is proposed to construct 69 residential properties; 63 semi-detached and terraced 2 storey dwellinghouses and 6 cottage flats with associated roads and infrastructure, amenity open space and landscaping. Each dwelling will have a private front and rear garden area, with the rear garden area of the cottage flats subdivided to give each private outdoor space. A limited number of plots feature an area of timber decking to address garden levels. Parking is provided with a combination of in curtilage parking spaces and on-street spaces including visitor bays.

Open space and landscaping will be provided primarily to the area to the south of Tweed Street and east of Tay Street. Garden boundaries between plots will be defined by an 1100mm high timber fence with side and rear boundaries where they do not adjoin another garden being defined by either an 1800mm high timber fence or, in more prominent positions, a feature wall and fence combination to the same height.

A limited palette of facing materials consisting of a dark and light facing brick together with dark grey concrete roof tiles and window frames will be utilised throughout the development, with a variation in the proportions and use of these materials between the different blocks.

Two vehicular accesses will be formed into the site, one from the point where Tay Street meets Tweed Street and the other as a continuation of Ness Road. A pedestrian access from Tweed Street is also proposed. Roads within the site comprise a mix of conventional design, shared surface and courtyard areas.

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 5 - Heat Networks

Major Development applications will be required to include an energy statement which considers the feasibility of meeting the development's heat demand through a district heating network or

other low-carbon alternatives. All proposed developments located adjacent to significant heat sources or proposed/existing heat networks should be designed in such a way as to be capable of connecting to a heat network from that source and any land required for heat network infrastructure should be protected.

Policy 6 - Low and Zero Carbon Generating Technology

Support will be given to all new buildings designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 20% by the end of 2022.

Other solutions will be considered where:

- a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and
- b) there is likely to be an adverse impact on the historic environment

*This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.

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 18 - New Housing Development

New housing development will be supported on the sites identified in Schedules 3 and 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 for affordable housing. 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 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 protect 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 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:

- a) it can be clearly demonstrated that the development cannot be achieved without removal;
- b) the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c) 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 protection of ancient woodlands and the management and protection of existing and new trees during and after the construction phase

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.

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

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 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 INF2 - Energy Efficiency

Support will be given to all new buildings designed to ensure at least 10% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. The percentage will increase to at least 15% by the end of 2016.

Other solutions will be considered where:

- a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and
- b) there is likely to be an adverse impact on the historic environment.

Excluded from this requirement are:

- c) buildings that have an intended life of less than 5 years; or
- d) stand-alone ancillary buildings of less than 50 sq m; or
- e) buildings which will not be heated or cooled other than for the purposes of frost protection.

Note: It is recognised that Building Standards may change during the lifetime of this Plan. The requirements are therefore percentages of the Building Standard in operation at the time applications are determined.

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.

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 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.

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

CONSULTATIONS

Head of Service – Transportation and Roads Service – No objections. The following points are noted:

- The overall layout is acceptable.
- Parking requirements within the National Guidelines for amenity housing is 0.5 spaces per dwelling plus 0.3 spaces visitor parking per dwelling. Due to increasing car ownership levels parking provision of 1 space per dwelling plus 0.25 spaces per dwelling for visitors is requested. The applicant is proposing the provision of 73 private spaces plus 17 spaces for visitors. This level of parking meets the requirements requested.
- The parking spaces on driveways should be a minimum of 3.0m by 5.5m. The visibility from the driveways should be 2.0m x 20.0m and should be at 90 degrees to the road. The driveways should have a gradient of no greater than 10% and a minimum of 2m surfaced adjacent to the footway.
- The visitor parking spaces should be a minimum of 2.5m x 5.0m.
- The visibility splay at the junctions should be 2.4m x 43m x 1.05m.
- All footways and footpaths should be a minimum of 2.0m wide.

- The applicant should demonstrate that roads within the site have a gradient of 8% or less.
- The applicant should provide further detail of the traffic calming features within the site.
- The parking courts will not be adopted.
- A Road Construction Consent will be required for all new roads, footways and footpaths.
- The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site. A system of lighting shall be kept operational at all times within the existing public adopted areas.
- Flooding and drainage matters are satisfactorily addressed.
- All surface water during and after development is to be maintained within the site boundary.
- Confirmation of connection to Scottish Water Network should be submitted for approval.

Head of Environmental and Public Protection (Environmental Health) – No objections. A range of conditions are recommended in respect of ground contamination, Japanese Knotweed, bin provision, external lighting, noise disruption from the site and sound insulation in compliance with the Building Regulations.

Scottish Environment Protection Agency West – No objections. General advice on a variety of matters is provided.

Head of Education - There is potential to add to pressure on St Columba's High School, albeit marginally. It could also increase pressure on St Joseph's Primary School to above 90% occupancy. However, this is based on the precautionary assumption that the development will attract all new pupils to the catchments rather than allowing for some internal movement within the catchments from existing catchment pupils. The impact is likely to be less than the above forecast.

Scottish Water – No objections.

PUBLICITY

The application was advertised in the Greenock Telegraph on 19 July 2019 as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

No representations were received.

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 2019 Inverclyde Local Development Plan (LDP).

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 focused 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

Inverclyde Council benefits from an up-to-date Local Development Plan. 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.

Policies 17 and 18 and Schedule 4 aim to support all housing providers through a range and choice of land allocations to meet all requirements. Schedule 4 lists all the sites allocated which are effective or capable of becoming effective to meet the housing land requirement and ensuring a minimum of a five-year effective land supply at all times. Brownfield sites within the identified settlement boundaries are strongly preferred for development under Policy 17.

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 for all the applications 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?
- What will be the impacts on nearby residential properties and will these be acceptable?
- With respect to traffic related issues, can the site be accessed in an acceptable manner and without detriment to the flow and movement of traffic on the roads from which access will be taken? Are the parking provision and site layout acceptable from a road safety point of view?
- Will there be flooding or drainage related implications and can these be addressed?
- As a previously developed site, are there any contamination issues?
- Will there be an impact on ecology?
- Are there any implications in respect of utilities and education provision for this development?

The principle of residential development

Policies 17 and 18 and Schedule 4 of the LDP aim to support all housing providers through a range and choice of land allocations to meet all requirements. Policy 17 strongly prefers the residential development of Brownfield sites within the identified settlement boundaries and Policy 18 supports new housing development on the sites identified in Schedule 4. This site is identified as a residential development opportunity (R44) for affordable housing within Schedule 4. The residential development of this site is therefore supported in principle by the Development Plan.

Whilst the site is laid to grass, the open ground within this brownfield redevelopment site was formed following the demolition of residential properties. With the purpose of providing an acceptable appearance until such times as any new development was taken forward. It is not identified as open space under Policy 35 of the LDP.

It therefore rests to consider whether there are any material planning considerations which suggest that planning permission should not be granted for this residential development on an identified residential development opportunity.

The design and layout of the development

Successful residential layouts require well designed buildings in a setting of gardens and open space and within a framework established by landscape features and road layout, all recognising the impact on neighbours. The surrounding locality is based on a low density approach with dwellinghouses situated within individual curtilages in a setting which includes open space and play provision. The proposed development follows this theme and I regard the density of building as compatible with the character and amenity of the area. Examining the design and materials, the proposed new dwellings are modern and contemporary; variation in the proportions and use of materials between the different blocks will help create interest and variety and the use of a feature wall and fence combination within prominent positions throughout the development assists in creating a high quality development.

The proposed dwellings provide strong street frontages and the development successfully incorporates variations to the orientation of buildings to create further interest and variety. Levels within the site result in it not being possible for a direct frontage to Tweed Street, however care has been taken to ensure that the positioning of the buildings does not result in an inward facing development. The use of feature wall and fence combinations to side boundaries together with soft landscaping also ensures that the development presents itself appropriately to Tweed Street. The changes in ground levels within the site also present distinct opportunities to create visual interest with features including stepped level terraced houses. Levels are further addressed across the site by sloping areas and the provision of, where required, retaining walls which are to be primarily to the rear of plots. Whilst it is indicated that the retaining walls will be to a height of 2.8 metres in some cases, the highest walls will not be prominent within the streetscape. The final appearance can also be addressed by condition.

The roads within the development will comprise a mixed arrangement. On entering from Tweed Street/Tay Street and Ness Road, the roads are of a conventional design with asphalt finish. Further into the development, sections of shared surface with a block finish are incorporated into the layout with a traffic calming function, creating a more pedestrian friendly environment. Cul-de-sacs also have a shared surface design terminating in a square or courtyard which also accommodates car parking. The approach to road design and layout defines a hierarchy within the streets and contributes to a sense of place. With two combined vehicular and pedestrian entrances, an additional pedestrian access and with effective links through the site, a permeable and accessible development is created which also assists in creating a successful place.



Examining the landscape and setting, the applicant has provided a basic landscaping plan to set out the principles of the landscaping proposed. I am satisfied that it will provide an appropriate setting for the development and will contribute positively. It will also provide for areas of informal play. With the majority of the landscaping and open space provision concentrated in the area to the south of Tweed Street and east of Tay Street, this will provide a setting for the development with an attractive approach. Considering the development in the context of the surrounding area including the further residential development opportunity to the south, this will provide for a central area of green space linking with any future development to the south. I am satisfied that the final details of the landscaping proposed together with maintenance can be addressed by condition,

Assessing the proposals against Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development", the requirement that each house has a 6 metre front garden and a 9 metre rear garden is largely achieved across the development with the distance from each building to the side boundary being at least 2 metres. Whilst I note that the site's varied topography has resulted in sloping garden sections, overall I am satisfied that gardens are useable with an acceptable level of amenity. Levels are also addressed within some gardens with sections of timber decking. Considering public open space, as noted above, I am satisfied that adequate open space is provided as part of the development and provides for suitable amenity for the residents. No play area has been provided within the site. In certain circumstances, PAAN3 sets out provision for developers to make a contribution to existing or new off-site play provision in lieu of providing on site provision. Rather than provide a contribution to existing off-site play provision, the applicant, who owns and manages much of the socially rented housing stock within the area, has chosen to redevelop the site of a former play park on the corner of Walker Street and Tasker Street. This is a few minutes' walk from the application site. The expenditure on this new play park is, on a per dwelling basis, far in excess of the amount ordinarily required as a contribution towards the maintenance or improvement of existing play provision in the vicinity. Planning permission for the new play area was granted in September 2019, and works

are now at an advanced stage on site. This arrangement is acceptable and a departure from the arrangements set out within PAAN3 can be justified in this instance.

Overall, I am satisfied that the proposed development incorporates the six qualities of successful placemaking in creating a distinctive, legible, welcoming and permeable development with a defined hierarchy of streets.

Residential amenity

There is sufficient separation to adjacent dwellings on Ness Street and Tweed Street to ensure that overlooking or loss of privacy will not occur. I am further satisfied that there is no adverse impact on daylight or sunlight to the nearest houses. Window to window relationships within the development itself are also acceptable. Where timber decking is incorporated into a limited number of rear gardens, it is not elevated above the ground level of the remainder of the gardens. Accordingly, there will be no privacy implications for new residents. Whilst the development will undoubtedly bring additional activity to the area, the occupation of new dwellings is not expected to cause any noise or activity beyond that typically found in a residential area. It is also noted that this site was formerly occupied by a variety of flatted blocks. Noise from the construction site is addressed by the Head of Environmental and Public Protection (Environmental Health) via separate legislation. Overall, I am satisfied that the impact on the amenity of adjacent residents is acceptable and a suitable level of amenity for the occupants of the new dwellings is achieved.



I am also satisfied that the development embeds the principles of placemaking and sustainability and safeguards the character and amenity of this residential area in accordance with Policy 1 of the SDP and Policies 1, 6 and 20 of the LDP.

Traffic and Transport

The site can be approached via both Tweed Street and Tay Street, with two vehicular accesses to be formed to the site itself; one from the point where Tay Street meets Tweed Street and the other as a continuation of Ness Road. Additionally, a pedestrian access from Tweed Street is proposed. The Head of Service – Roads and Transportation has no concerns over the impact of the development on the local road network and it meets the requirements of the Roads Development Guide. Adequate parking provision is made for residents and visitors. The applicant has demonstrated visibility splays are achieved at the road junctions in accordance with the advice of the Head of Service – Roads and Transportation and I am satisfied that the width of footways also follows the advice set out. Other matters raised by the Head of Service – Roads and Transportation relating to Road Construction Consent, including traffic calming, and street lighting are addressed via separate legislation.

Considering sustainability and active travel, buses serve Tasker Street, which is a few minutes' walk from the application site with bus stops to local destinations including Inverclyde Royal Hospital and Greenock Town Centre, where onward connections are available to a range of destinations. Additional services also operate via Bow Road. Local amenities are found on Bow Road, a short walk from the site, including a shop and post office. I am therefore satisfied that the development is provided in a sustainable location accessible by means other than the private car. In addition, I consider it appropriate for a travel information pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes to be provided to the residents of the new dwellings. This can be addressed by condition. Overall, I consider that the proposal accords with the requirements of Policies 10 and 11.



Flooding and drainage

The applicant has submitted a flood risk and drainage impact assessment which concludes that the site lies in an area that is not shown to be at fluvial flood risk and is at low risk from localised surface water flooding. SuDS are also incorporated into the development. The Head of Service – Roads and Transportation advises that she is content, subject to the use of appropriate conditions requiring surface water to be intercepted within the site and Scottish Water's approval being submitted. A condition can also address the implementation of the approved drainage scheme and maintenance of the SuDS pond. The proposals are therefore considered to accord with Policies 8 and 9 of the LDP.

Contamination issues

As a previously developed site, historical activities both on-site and in the surrounding area will require further detailed investigation. 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.

The Head of Environmental and Public Protection (Environmental Health) does not highlight any concerns over and above the standard need for site investigation associated with any brownfield site and, notwithstanding the documents already submitted, is content that any concerns may be addressed by conditions on any grant of planning permission.

In this respect, I consider that the proposals comply with the requirements of Policy 16 of the LDP.

Ecology

There are no environmental designations covering any part of the site nor are there any in the surrounding area. There are no buildings to be demolished and no watercourses within or near to the site. The site largely comprises rough grass and scrub, with trees being almost exclusively small, immature and in poor condition. Accordingly, no concerns regarding protected species arise. Notwithstanding, there remains the potential for birds to nest in the area. Accordingly, I consider a condition to restrict site clearance works to outwith bird breeding season, or failing that, a full nesting bird survey prior to the commencement of works on site. Subject to this condition 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.



Infrastructure and school capacity

As a previously developed site which is positioned adjacent to existing residential properties, there will be service provision in the immediate vicinity. Scottish Water offers no objections, however it is for the developer to make the appropriate liaisons to establish existing service infrastructure and connections.

The Head of Education advises that the development has the potential to add to pressure on St Columba's High School, albeit marginally. It could also increase pressure on St Joseph's Primary School to above 90% occupancy. However, the Head of Education noted that this is based on the precautionary assumption that the development will attract all new pupils to the catchments rather than allowing for some internal movement within the catchments from existing catchment pupils. The Head of Education therefore considers that the impact is likely to be less than the above forecast and offers no objections to the proposal.

Heat networks and low carbon infrastructure

Policy 5 of the LDP requires an energy statement which considers the feasibility of meeting the development's heat demand through a district heating network or other low-carbon alternatives. Where developments are located adjacent to significant heat sources or proposed and existing heat networks, they should be designed to be capable to connecting to a heat network from that source and any land required for infrastructure protected. I am satisfied that there are no existing heat networks or sources to which the development could connect. The requirement for an energy

statement which considers how the development's heat demand can be met via other low-carbon measures can be addressed by condition, as can the implementation of any recommendation.

As an element of design, Policy 6 of the LDP also seeks to ensure that all new buildings are energy efficient through the installation of low and zero carbon generating technologies and the applicant proposes roof mounted photovoltaic panels in this respect. The applicant also advises that it is expected that, in accordance with requirements of Policy 6, that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. The implementation can be addressed by condition.

Other matters raised in consultation responses

The proposed site plan indicates that bins are accommodated within private rear garden areas. Matters relating to external lighting can be addressed by advisory note, noise from the construction site is addressed by the Head of Environmental and Public Protection (Environmental Health) via separate legislation and compliance with the Building Scotland Regulations is a matter for the building warrant process.

Summary and conclusion

At a national level, Scottish Planning Policy reinforces the aim 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 by maintaining at least a five-year supply of effective housing land at all times. The Council's adopted LDP identifies this location as a housing development site which contributes towards satisfying the housing land supply obligations of the 2017 Clydeplan Strategic Development Plan.

Assessing this site, the principle of development and the detailed specifics set out in the adopted LDP reflect those of the previous 2014 LDP. I consider the location of the development, the overall design concept and the details to be acceptable with respect to Policies 1, 6, 17, 18 and 20. The site is accessible and the proposals will have an acceptable impact on the roads network, and therefore accord with Policies 10 and 11. Flooding and drainage implications as required by Policies 8 and 9, heat networks and contamination as required by Policies 5 and 16 respectively, and ecological implications as required by Policy 33, present no obstacle to development.

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 applications, the supporting documentation and the consultee responses, it is concluded that the proposals accord with the Development Plan and that there are no 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 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 work on site full details of a landscaping scheme and programme for completion shall be submitted to and approved by the Planning Authority. Development shall then proceed as approved unless any alternative is agreed in writing by the Planning Authority.

3. That any trees, shrubs or areas of grass which die, are removed, damaged or become diseased within five years of completion of the landscaping shall be replaced within the following year with others of a similar size and species.
4. That details of maintenance and management for the landscaping approved in terms of condition 2 above shall be submitted to and approved in writing by the Planning Authority prior to the start of construction of the development hereby permitted. Management and maintenance shall commence upon completion of the landscaping.
5. That prior to each dwellinghouse hereby permitted being occupied, all new roads and footways leading to it shall be surfaced to a sealed base course.
6. That within 4 weeks of the last of the dwellinghouses hereby permitted being completed, all roads and footways within the application site shall be completed to a final wearing course.
7. That a visibility splay of 2.4m x 43m x 1.05m shall be provided at all road junctions within the development hereby permitted and be maintained and kept clear of vegetation at all times in the future to the satisfaction of the Planning Authority.
8. That the visibility splay of 2.0m x 20.0m shall be provided for all driveways within the development hereby permitted and be maintained and kept clear of vegetation at all times in the future to the satisfaction of the Planning Authority.
9. That visitor parking spaces shall be a minimum of 2.5m by 5m and driveway spaces shall be a minimum of 3m by 5.5m.
10. That the first 2 metres of all driveways shall be paved.
11. That all roads and footpaths shall have a gradient not more than 8% and all parking spaces (driveway and visitor) shall have a gradient of not more than 10%.
12. That all surface water run off shall be intercepted within the site both during construction and on completion of the development.
13. That the approved drainage regime shall be fully implemented to the satisfaction of the Planning Authority and the SuDS pond subsequently maintained at all times thereafter to the satisfaction of the Planning Authority as per the "Detention Basins Maintenance Recommendations" submitted 10 February 2020, unless otherwise first agreed in writing by the Planning Authority.
14. That prior to the commencement of works on site, confirmation of Scottish's Water approval to the drainage layout and confirmation of connections to Scottish Water Network shall be submitted to and approved in writing by the Planning Authority.
15. That no site clearance 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.
16. That the dwellinghouse hereby permitted shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies, details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the first house on site.
17. That prior to the commencement of development on site, an energy statement which considers the how the development's heat demand can be met through a district heating network or other low-carbon measures shall be submitted to and approved in writing by

the Planning Authority. The recommendations within the statement shall be followed in a manner as first agreed in writing by the Planning Authority.

18. That to part of the development shall be occupied until the contents of the Travel Information Pack which encourages reduced dependency on the private car by highlighting the location of local amenities, public transport services and active travel routes is submitted to and approved in writing by the Planning Authority. Thereafter, on the occupation of each dwelling, the approved Travel Information Pack shall be provided to new residents.
19. 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.
20. 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.
21. 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.
22. 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 in the interests of visual amenity.
2. To ensure the provision of an appropriate landscaping scheme.
3. To ensure the retention of the approved landscaping scheme in the interests of visual amenity.
4. To ensure the maintenance of the approved landscaping scheme in the interests of visual amenity.
5. To ensure the provision of acceptable safe access facilities during construction.
6. To ensure the provision of acceptable safe access facilities following construction.
7. To ensure that appropriate junction visibility splays are provided and maintained, in the interest of road safety.

8. To ensure that appropriate driveway visibility splays are provided and maintained, in the interest of road safety.
9. To ensure suitable parking provision for residents and visitors, in the interests of road safety.
10. To avoid deleterious materials being carried onto the road and footway, in the interests of road safety.
11. To ensure suitable road, footpath and parking space gradients in the interests of road safety.
12. To avoid surface water run-off from the site in the interests of avoiding flooding.
13. To ensure the implementation and maintenance of the drainage regime in the interests of avoiding flooding.
14. To ensure Scottish Water acceptance to the drainage regime in the interests of avoiding flooding.
15. In the interests of the protection of and avoidance of disturbance to nesting birds.
16. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
17. To ensure that the development's heat demands are met, wherever possible, through low carbon infrastructure.
18. To encourage sustainable travel behaviour.
19. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
20. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
21. To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interests of human health and environmental safety.
22. To ensure that all contamination issues are recorded and dealt with appropriately.

Stuart Jamieson
Head of Regeneration and Planning

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

Report **The Planning Board**

Date: **4 March 2020**

To:

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

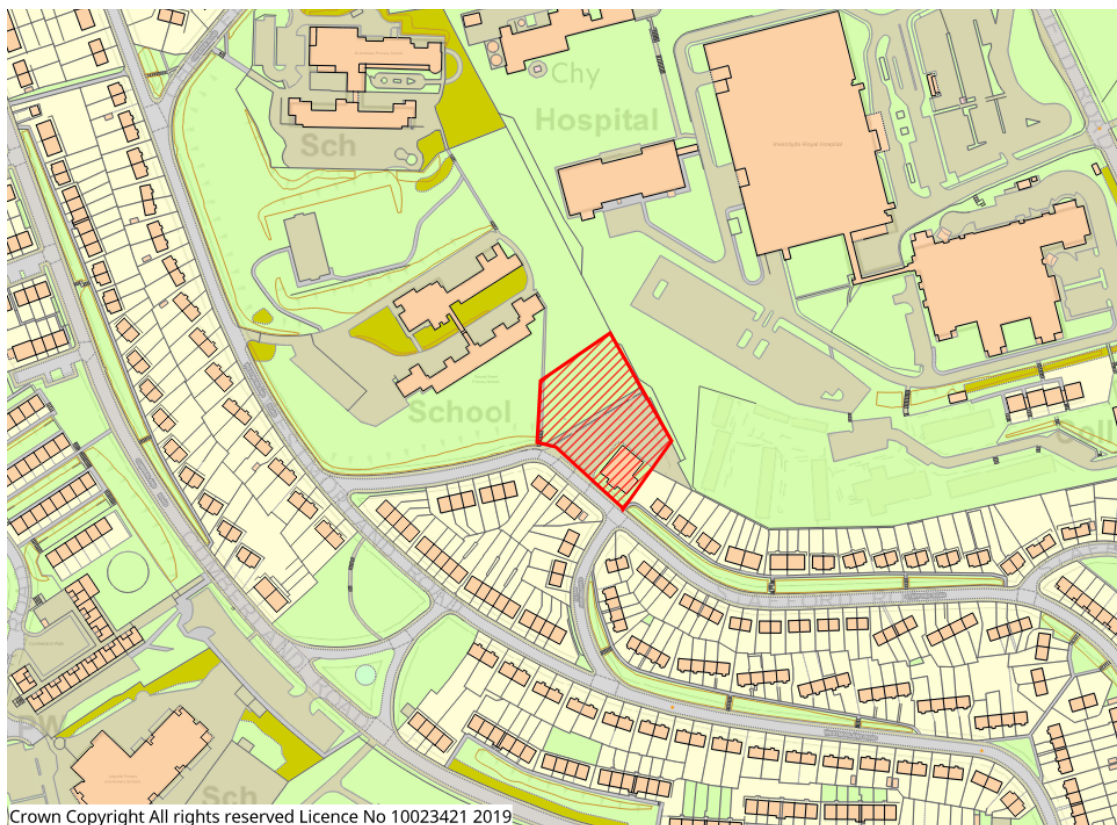
Report No: **19/0171/IC**

**Local Application
Development**

**Contact
Officer:** **James McColl**

Contact No: **01475 712462**

Subject: **Creation of a new build single-storey Early Years Centre for 100 pupils with associated parking, landscaping and infrastructure at Land at Stafford Road, Greenock**



SUMMARY

- The proposal has been assessed as an acceptable departure from the Inverclyde Local Development Plan.
- No public comments have been received.
- 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=PTYP6EIMM6500>

SITE DESCRIPTION

Lying to the northern side of Stafford Road, Greenock and extending to an area of around 0.43 hectares, the application site comprises a large flat asphalt area which provides for a school bus turning area, rough sloping ground comprising bramble and hawthorn scrub, and a small area of woodland. A social club building formerly occupied part of the site and this area now has a rough hardcore finish. A variety of two storey semi-detached and terraced dwellinghouses lie adjacent on Stafford Road, to the north is the Inverclyde Royal Hospital and a primary school building is sited to the west.

PROPOSAL

It is proposed to construct a new single storey Early Years Centre with a largely rectangular footprint with an external area of approximately 700 square metres. The main part of the building is designed with a pitched roof, with a flat roof section extending to the front. The building extends to approximately 6.7 metres at the highest point, occupies a central position on the site and the front elevation faces to the southwest fronting the proposed car park.

Externally, the building is finished primarily in facing brick, inclusive of a corbelled brick detail to the western gable facing towards Stafford Road. The front elevation will be finished in fibre cement cladding panels and the roof finished in a replica slate tile. Whilst it is indicated that the colour of the materials is to be confirmed, the drawings suggest a brown multi-tonal brick together with grey cladding panels and a dark grey roof.

A 23 space car park will be provided to the front of the building with access from Stafford Road. Cycle parking is also indicated. To the south of the car park a new access lane will allow vehicular access to be retained to the rear of the neighbouring dwellings on Stafford Road. A range of fencing is proposed inclusive of an 1800mm weldmesh perimeter fence, 1500mm weldmesh fence to the car park, a 1200mm timber picket fence and a 1200mm timber fence with slats featuring a pencil design. Two small steel playground equipment stores together with a bin store and a boiler housing are also proposed.

Whilst some trees are to be felled, the majority will be retained as a wildlife area within the grounds.

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 17 - Land for Housing

In order to enable Clydeplan's all-tenure housing supply target for the whole of Inverclyde, of 4,400 house completions between 2012 and 2029, to be delivered, proposals for housing development on the sites listed in Schedule 3 and Schedule 4 of this plan and shown on the proposals map will be supported in principle, subject to detailed consideration.

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. a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- b. there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan; and
- c. evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.
- d. a requirement for 25% of houses on new greenfield release sites in the Inverclyde villages to be for affordable housing.
- e. further information and advice on the provision of affordable housing on greenfield sites in the Inverclyde villages will be provided in supplementary guidance.

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 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 protect 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 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:

- a. it can be clearly demonstrated that the development cannot be achieved without removal;
- b. the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c. 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 protection of ancient woodlands and the management and protection of existing and new trees during and after the construction phase

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 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 RES6 - Non-Residential Development within Residential Areas

Proposals for uses other than residential development in residential areas, including schools, recreational and other community facilities will be acceptable subject to satisfying where appropriate, the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) impact on designated and locally valued open space;
- (c) impact of the volume, frequency and type of traffic likely to be generated;
- (d) infrastructure availability;
- (e) social and economic benefits; and
- (f) the cumulative impact of such a use or facilities on an area.

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 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:

- The level of parking provided is acceptable.
- Parking spaces require to be a minimum of 5.0m by 2.5m with an aisle spacing of 6m and a gradient of less than 10%.
- The access road for the garage in the neighbouring block should be at least 3m wide and retained in perpetuity.

- A Section 56 Agreement will be required for any amendment impacting the public road network.
- The submitted flooding and drainage information is acceptable.
- Surface water should to be contained within the site.
- Drainage drawings in accordance with CIRIA C753, the SUDS Manual and Sewers for Scotland require to be submitted for approval prior to work starting on site.
- A maintenance regime for drainage requires to be submitted for approval
- Confirmation of the Scottish Water acceptance requires to be submitted for approval prior to work starting on site.

Head of Environmental and Public Protection (Environmental Health) – No objections. Conditions in respect of ground contamination and Japanese Knotweed, bin provision and external lighting are recommended.

PUBLICITY

The application was advertised in the Greenock Telegraph on 12 July 2019 as there are no premises on neighbouring land and as a departure from the Development Plan.

SITE NOTICES

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

PUBLIC PARTICIPATION

No representations were received.

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. Part of the application site lies within a residential development opportunity (ref R49) which the Local Development Plan indicates has a capacity of 40 residential units. Developing part of this site for another purpose is contrary to the Local Development Plan. It therefore rests to consider whether there are any material considerations which indicate that planning permission for this proposal for a new Early Years Centre should be granted partly on this identified residential development opportunity.

In support of the application, the development of the new Early Years Centre will accommodate the Larkfield Children's Centre and this will subsequently result in all existing buildings at the adjacent former Sacred Heart Primary School being surplus to requirements. It is indicated that these buildings will, in turn, be removed from site. This will provide for an area which will potentially augment and expand the adjacent residential development opportunity. I also note that, in principle, the encroachment of the proposal into the identified residential development opportunity will not in any way sterilise the remaining site which has a frontage to both Stafford Road and Westmorland Road.

Policy 21 of the Local Development Plan supports proposals for the new community facilities identified in Schedule 5. This Schedule identifies the new Early Years Centres as a community facility opportunity, although no specific sites are identified. An Early Years Centre is the type of community facility that is characteristically found within a residential area, thus allowing it to be easily accessible within the community it serves. I note that similar Early Years Centres together

with both Primary and Secondary schools are located on sites within established residential areas where there is a similar relationship with neighbouring residential properties. Considering residential amenity, whilst the area is primarily residential in character, the adjacent site has a long established primary school use and part of the application site was also previously occupied by a Social Club. This would have resulted in noise and activity in the evening. More recently, much of the application site has been utilised as a school bus drop off area. There is already an established level of activity of not the same degree of quietude as would be experienced within a wholly residential area. I am also further satisfied that the scale and position of the building would not lead to any unacceptable loss of daylight or sunlight to neighbouring residential properties. I therefore consider that, in principle, the Early Years Centre facility is compatible with the wider residential area and will have an acceptable impact on adjacent residential amenity.



Considering design, the low rise appearance is appropriate for the locality where the adjacent dwellinghouses are of a two storey design. The contemporary approach to the design is supported and the design detail provides interest and will create a distinctive new development. The use of facing brick also provides a link with the external materials of the recently constructed new housing nearby. This contributes to a successful place in accordance with Policy 1 of the Local Development Plan. I am satisfied that the fencing arrangement is appropriate as is the limited use of retaining walls. Bins will also be screened and ancillary items such as the playground stores and boiler housing will not be to the visual detriment of the wider development. A landscaping scheme will also provide a setting for and soften the appearance of the new building. I consider that the combination of these factors will ensure that the development will have a positive contribution to the appearance of the area and I am satisfied that there is no conflict with Policy 20.

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 to the public road. A small vehicular and pedestrian access lane is provided to the east of the site to ensure that the existing access is maintained to the rear of the adjacent residential properties. The applicant has confirmed that a width which meets the advice from the Head of Service – Roads and Transportation can be provided. Any requirements in respect of a Section 56 Agreement for any works affecting the public road will be addressed via separate legislation. Considering sustainability and active travel, provision for cycle parking is made within the development. Local bus services operate from Cumberland Road which is a short walk from the site, with Branchton railway station accessed via a pedestrian overbridge across the trunk road. I am therefore satisfied that the site is accessible by means other than the private car and there is no conflict with Policy 10 and that overall the proposal complies with Policy 11 of the Local Development Plan.

Considering flooding and drainage, the Head of Service – Roads and Transportation is satisfied that this is appropriately addressed and that the outstanding 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 applicant has submitted a Habitat Survey. This assesses the application site together with the Sacred Heart Primary School site adjacent. As the School is not within the application site and given the potential future demolition of the building is not a matter being assessed as part of this application, the ecological impact on this is a matter to be addressed separately to this planning application. I note that the trees within the small area of semi-natural woodland within site comprise largely immature ash and oak together with goat willow, and that they are unsuitable for use by roosting bats. The potential for nesting birds to be disturbed can be addressed by a condition requiring that either no works are undertaken during the nesting season or that a comprehensive bird nesting survey is undertaken prior to the commencement of works. I am therefore satisfied that the proposal offers no conflict with Policy 33 of the Local Development Plan. Policy 34 supports the retention of semi-natural woodland. Whilst there will be some felling adjacent to the playground area, the majority of this area, which is completely anonymous within the landscape, will be retained and developed as part of a wildlife area by the Early Years Centre. I am satisfied that this approach does not conflict with the wider aims of Policy 34 of the Local Development Plan.

Turning to the outstanding points raised in the consultation responses, the Head of Environmental and Public Protection (Environmental Health) offers no objections. Due to the deficiencies in the supporting documents submitted, it is recommended that the detail relating to ground contamination and Japanese Knotweed be addressed by condition. In this respect, I consider that the proposals comply with the requirements of Policy 16 of the Local Development Plan. With regard to bin provision, these will be accommodated within a purpose built enclosure. Matters relating to external lighting can be addressed by advisory note.

To summarise, the proposal which comprises non-residential development on a residential development opportunity site is contrary to the 2019 Local Development Plan. However, the development of this small section of this allocation would not inhibit development on the remainder of the allocation. The future removal of the buildings currently housing the Larkfield Children's Centre which will be accommodated within the new facility will also potentially augment and expand the adjacent residential development opportunity. The provision of the Early Years Centre will be to the significant benefit to the local community. Having assessed 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. On balance, I consider that the benefits of this new facility will offset the loss of a small area of the current residential development opportunity.

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, material considerations are such that a decision contrary to the adopted Local Development Plan is justified. Planning permission should therefore be granted subject to the conditions below.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. That 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 the landscaping as indicated in the approved drawings shall then be implemented prior to the occupation and use of the Early Years Centre hereby permitted and be retained on site at all times thereafter unless otherwise 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. 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. That 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 the car park shall be formed in accordance with the approved drawings and be available for use prior to the occupation and use of the Early Years Centre hereby permitted and be retained on site at all times thereafter unless otherwise agreed in writing by the Planning Authority.
6. That the width of the access road to the rear of the adjacent residential dwellings shall be 3 metres.
7. That full details of the programme for the completion of the access road to the rear of the adjacent residential dwellings specified in Condition 6 above shall be submitted to and approved in writing by the Planning Authority. The access road shall then be completed as approved and maintained on site at all times thereafter to the satisfaction of the Planning Authority. For the avoidance of doubt, access shall be retained to the rear of the adjacent residential dwellings at all times during the works.
8. That all surface water run off shall be intercepted within the site both during construction and on completion of the development.
9. That prior to the commencement of works on site, full drainage details and drawings shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the submitted details shall be in accordance with CIRIA C753, the SUDS Manual and Sewers for Scotland. Works shall then proceed as approved unless otherwise first agreed in writing by the Planning Authority.
10. That prior to the commencement of works on site, full details of the drainage maintenance regime shall be submitted to and approved in writing by the Planning Authority. The

drainage shall be maintained as approved at all times thereafter to the satisfaction of the Planning Authority.

11. That prior to the commencement of works on site, confirmation of Scottish's Water approval to the drainage layout and confirmation of connections to Scottish Water Network shall be submitted to and approved in writing by the Planning Authority.
12. That no site clearance 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.
13. That prior to any construction work starting on site, tree protection measures for all trees to be retained in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012, shall be erected to the satisfaction of the Planning Authority and not removed during the course of construction work.
14. 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.
15. 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
16. 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.
17. 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 Early Years Centre 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 suitable parking for the Early Years Centre hereby permitted in the interests of road safety.
6. To ensure safe access to the rear of adjacent dwellings.
7. To ensure the provision and retention of an access to the rear of adjacent dwellings within an appropriate timescale.
8. To avoid surface water run-off from the site in the interests of avoiding flooding.
9. To ensure the adequacy of the drainage regime.
10. To ensure the adequacy of the drainage maintenance regime
11. To ensure Scottish Water acceptance of the drainage regime.
12. To avoid disturbance to nesting birds.
13. To ensure retained trees are suitably protected during works on site.
14. To help arrest the spread of Japanese Knotweed in the interests of environmental protection
15. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
16. 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.
17. To ensure that all contamination issues are recorded and dealt with appropriately.

Stuart Jamieson
Head of Regeneration and Planning

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