

Report To: **The Planning Board**

Date: **2 September 2020**

To:

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

Report No: **19/0041/IC
Plan 09/20
Major Application
Development**

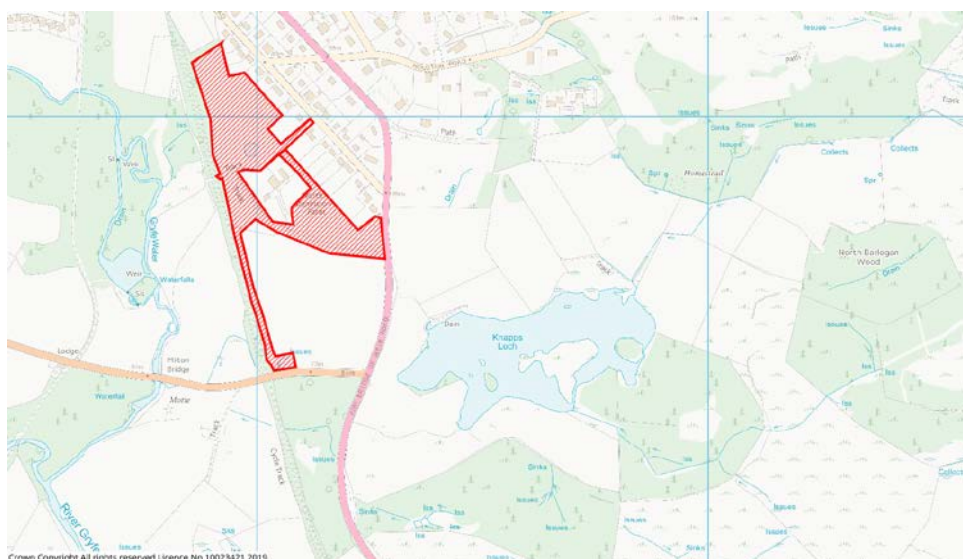
Contact Officer: **James McColl**

Contact No: **01475 712462**

Subject: **Proposed residential development with access, open space, landscaping and associated works**

at

Land at North Denniston, Bridge of Weir Road, Kilmacolm



SUMMARY

- The planning application was refused by Inverclyde Council.
- The applicant appealed the decision to the Scottish Ministers.
- The appeal was dismissed.

Details of the appeal may be viewed at:
<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=120651>

INTRODUCTION

In June 2019, the Council refused planning permission in principle for residential development as:

1. The proposed development is contrary to the Spatial Development Strategy of the 2017 Clydeplan Strategic Development Plan as it is an unjustified urban development which is outwith the development corridor identified in the Plan and it fails to accord with the Green Belt objectives.
2. The proposal is contrary to Policies ENV2 and SDS8 of the 2014 Inverclyde Local Development Plan together with Policy 14 of the 2018 Proposed Inverclyde Local Development Plan in that it fails to accord with the objectives of the Green Belt.
3. The proposal fails in respect of Policy RES1(a) of the 2014 Inverclyde Local Development Plan as development within one of the 'fingers' of countryside that extend towards the centre of Kilmacolm will erode both the character and the setting of the village.
4. The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of the 2017 Clydeplan Strategic Development Plan and Policy 1 of the 2018 Proposed Inverclyde Local Development Plan. The proposal is also contrary to the placemaking aims of Policy SDS3 of the 2014 Inverclyde Local Development Plan.
5. The proposal is not a form of residential development in the Green Belt supported by Policy RES7 of the 2014 Inverclyde Local Development Plan.

NOTIFICATION OF APPEAL DECISION

An appeal against the refusal was lodged with the Scottish Government on 18th September 2019. The grounds of appeal contested all the grounds of refusal.

The appointed Reporter found the main issues were the site location including the spatial development strategy and green belt; the design and layout of the proposal and related implications for the character and amenity of the locality; and housing land supply.

The Reporter firstly noted that the 2014 Inverclyde Local Development Plan was the adopted Plan when the Council determined the planning application but that it had been superseded by the time of his considerations. The development plan therefore consists of the 2017 Strategic Development Plan (Clydeplan) and the adopted 2019 Inverclyde Local Development Plan (LDP) and he based his analysis on this.

Examining the Green Belt boundary, the Reporter considered that the existing boundary is clearly delineated and was not persuaded by the appellant's contention that the Green Belt and settlement boundary were either weak or illogical. He went on to consider that irrespective of this, the site is not allocated for residential development within the LDP and the proposal for such a development in the Green Belt fails against Policy 14 of the LDP.

Considering impact on landscape character the clear and easily visible nature of the site from the cycle path, Knapps Loch and the A761 were highlighted by the Reporter who concluded that these factors meant that the site forms a visibly prominent part of a local landscape that is regularly experienced by many people. He considered that although an acceptable design for the proposal could be secured by conditions, it would develop and transform one side of the southern green wedge to Kilmacolm which would harm the setting and character of both the settlement and the wider local area, contrary to the placemaking principles from Clydeplan which expects new development to reflect local character. He considered that the proposal therefore failed to satisfy Clydeplan Policy 1.

In considering housing land supply, it was noted that the Scottish Ministers have not prescribed any single method for calculating whether a shortfall in housing land supply exists. The Reporter considered equally the methodologies used to calculate land supply and could not reach a definitive conclusion, other than, for the purposes of assessment, to assume there was a shortfall and acknowledged the applicant's shortfall figure in this respect. He did, however, take the view that the shortfall had to relate to the full Renfrewshire Housing Sub-Market Area and not be subdivided to a localised Kilmacolm part of that Area. He consequently concluded that the

resultant figure suggested that there was no justification for the level of development proposed by the applicant.

The Reporter further considered the appeal against Clydeplan Policy 8 and Scottish Planning Policy (SPP), noting that when a shortfall exists, the proposal must comply with all five criteria in Clydeplan Policy 8 but concluded that it failed against at least three of these. In examining Scottish Planning Policy the Reporter found that the proposal would harm the achievement of development that contributes to sustainable development as envisaged by the SPP, and did not consider that could be overcome. Accordingly, he found the SPP supportive of refusal when considering sustainability, even if acknowledging a shortfall in the five-year housing land supply.

With respect to other key material considerations, he further found that the proposal would be unlikely to support low-carbon living, with nothing to suggest it would result in a modal shift or improved transport outcomes that reflect the principles of sustainable development. Whilst he noted socio-economic benefits to the village he concluded there could be no certainty on these due to competition elsewhere, including online, and therefore did not consider these to be as significant as postulated by the applicant. It was accepted that there is spare capacity in local schools.

Overall, therefore, he considered that although the proposal could be regarded as sustainable development in contributing to meeting a postulated shortfall in the housing land supply, it would not be in a sustainable location and consequently would not be compatible with the spatial development strategy set out by Clydeplan and reinforced by the Inverclyde Local Development Plan due to its location.

The appeal was dismissed.

RECOMMENDATION

That the Board notes the position.

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.