

**Report To: The Planning Board**

**Date: 5<sup>th</sup> January 2022**

**Report By: Development Management Team Leader**

**Report No: 20/0316/IC  
Plan 01/22  
Major Application  
Development**

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**Subject: Mixed use development comprising: up to 650 residential dwellings; neighbourhood centre incorporating retail, commercial and employment uses; erection of building for leisure related uses; erection of building to accommodate community facility uses; formation of roundabout on A78 and alterations to Brueacre junction; formation of landscaping, open space, play areas and recreational areas, with associated infrastructure, footpaths and access (major) (planning permission in principle) at the former Inverkip Power Station Site, Shore Road, Inverkip**



**SUMMARY**

- The proposal presents no conflict with the Vision and Spatial Development Strategy set out in the Clydeplan Strategic Development Plan.

- The proposal accords with the Inverclyde Local Development Plan and the proposed Inverclyde Local Development Plan.
- The application is informed by an Environmental Impact Assessment.
- 233 objections, 6 supporting submissions and 4 neutral representations have been received.
- The consultation responses present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION IN PRINCIPLE subject to conditions and to direct that a 15 year time period to submit applications for the approval of matters specified in conditions.

The application may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=QLH6CXIMJLD00>

## **SITE HISTORY AND DESCRIPTION**

The site is that of the former Inverkip Power Station located on the west side of the A78 Shore Road. The site extends to 50.4 hectares and includes the part of Shore Road adjacent to the former power station as well as the Brueacre Junction. Part of the Green Belt on the east side of the A78 is included within the application site boundary. Running parallel to and on the east side of the A78 is a railway line.

The oil-fired power station ceased operation in the mid-1980s and demolition took place in 2013/2014. Following clearance of structures there are exposed concrete slabs and a crushed concrete surface across the footprint of the former power station. A number of voids were backfilled during the clearance works. There are small derelict buildings in the south-west area of the site. The parts of the site that had not been developed comprise structural landscaping with some self-seeded woodland that has become a dense buffer area over the intervening years.

The Brueacre Burn flows into the site from the east and is culverted from approximately half way within the site before discharging into the Firth of Clyde from an outfall.

The south-west part of the site is wooded and covered by the Wemyss Plantation Tree Preservation Order that extends to approximately 6.43 hectares and the Wemyss Plantation Local Nature Conservation Site (LNCS) that extends to 6 hectares. The majority of this LNCS is woodland listed in the Ancient Woodland Inventory as Long Established (of plantation origin).

The site is located below the level of the A78 and the existing access road slopes down from the slip roads at the Brueacre junction. The wooded areas along the east and south parts of the site are elevated above the parts of the site where the power station buildings and storage tanks had been located. There are also changes in levels within the parts of the site that contained the power station buildings. At the moment there is a large area towards the centre/north part of the site that is at a lower levels than the area adjacent to the former gate house and parking area.

There are residential areas to the north and south of the site and the land to the east beyond the A78 and the railway line is the Green Belt and land associated with the Clyde Muirshiel Regional Park.

A previous planning application for planning permission in principle for a mixed use "urban village" development including residential, business, community use and small scale retail (09/0175/IC) at this site was withdrawn by the applicant on 30th November 2020 prior to the submission of the current application. The previous application was not progressed and the applicant turned out not to have control over all the land for which infrastructure improvements including a new roundabout were

required. The processing of the application was halted in the absence of all required parties to a possible Section 75 Legal Agreement.

## **PROPOSAL**

Planning permission in principle is sought for a mixed use development on the site which is to incorporate the following:

- residential/flatted development of up to 650 units including affordable housing. The houses are indicated to be 2, 3, 4 or 5 bedroom detached and semi-detached houses.
- a neighbourhood centre up to a maximum of 2400sqm floor space to accommodate retail/commercial/employment uses. Apartments are also indicated on the upper floors of the neighbourhood centre.
- a community facility of 2000sqm with associated parking and a neighbourhood equipped play area of 1000sqm.
- a boating community facility of 600sqm with associated parking and access to a retained slipway.

An illustrative Masterplan has been submitted with the application that shows a three leg roundabout to be constructed on the A78 towards the north part of the site approximately 180m from the nearest residential property known as Little Gable. This roundabout is to allow access to a primary road that is to run/loop through the development site and to link to the Brueacre Junction.

The Masterplan identifies areas where the built development is intended to occur. These are generally to the north and south of the Brueacre Burn which is to have the culvert removed. The majority of the built development is to occur in the areas where the buildings and structures stood on the site. The exception to this is on the south side of the existing access road which is wooded. Within the built development areas there are to be secondary roads and it is intended there are to be tertiary routes.

Within the site the neighbourhood centre is indicated as being south of the Brueacre Burn and adjacent to the primary road through the site. The main residential areas are identified on the Masterplan as being to the south-east and south-west of the neighbourhood centre and towards the centre and north of the site. Along the west side of the site with the Firth of Clyde a linear park is indicated with the purpose of providing for active recreational activities such as cycling, walking and running. Another linear park is indicated with the residential area towards the centre/north of the site. The land immediately to the north and south of the Brueacre Burn is indicated as public open space. A community facility with an equipped play area is indicated in an area to the north of the Brueacre Burn and east of the linear park. The boating community facility is indicated towards the south-west of the site.

The building heights are indicated to be predominantly between 2 to 3 storeys and up to 4 storeys in the neighbourhood centre. The density of the proposed development is to vary across the site. High density of 60 dwellings per hectare (dph) is indicated at the core of the development, along the primary route, at the neighbourhood centre and within the streets and lanes character areas. Medium density of approximately 30 to 40 dph is indicated along secondary routes and internal areas of public space. Low density of up to 30 dph is indicated at the periphery of the site such as adjacent to the Firth of Clyde and woodland areas.

The existing wooded areas towards the north and south-west parts of the site as well as along the east side are to be retained and path routes are indicated through these. A 20m wide landscape buffer is indicated along part of the south boundary of the site.

There are to be 5 broad character areas that the applicant has indicated as including: Brueacre Park and Village Centre (Character Area 1); Coastal Park (Character Area 2); Streets and Lanes (Character Area 3); Harbourside (Character Area 4); and Woodland Hamlet (Character Area 5).

Character Area 1 is to be the area around the proposed neighbourhood centre and public park/open space to be created adjacent to Brueacre Burn. Character Area 2 is intended to connect Inverkip to Wemyss Bay through the proposed development along the west side of the site. Character Area 3 is located on the site of the former power station building. This area is to be characterised by a hierarchy of streets and lanes to create a highly permeable street network. There are to be nodal points and open space/pocket parks located in this area. Character Area 4 is located at the existing stone harbour and sea front with the existing slipway re-used. Character Area 5 is towards the south of the site to the north of Mount Stuart Drive and to be generally surrounded by woodland.

The northbound slip road at the Brueacre junction is indicated as being closed when 30% of the development is complete with north bound traffic from Finnockbog Road travelling through the development.

The existing footpath along the A78 is to be upgraded and widened with a guardrail installed to be a safe car-free route suitable for pedestrians and cyclists.

The drainage strategy is indicated as intercepting, treating and attenuating surface water flows prior to discharge, therefore providing betterment over existing conditions and reducing flood risk. Appropriate Sustainable Drainage Systems features include green roofs, permeable paving, swales, filter drains and bio retention features are to be incorporated in the development. The final treatment features and locations will be confirmed during the detailed design stage when full details of the development plots are available.

It has been indicated that the proposed development is envisaged to be constructed in a phased manner and delivered over a 15 year period with construction beginning in 2023. The applicant has referred to Section 59(5)(a) of the Town and Country Planning (Scotland) Act 1997 (as amended) that allows the planning authority when granting permission to substitute, by a direction, an alternative time period for submitting subsequent applications rather than the normal 3 year period. The applicant has therefore requested that a 15 year period is allowed to enable a phased approach to delivery of the site, based upon an estimated 15 year construction period.

A range of supporting documentation and information has been provided including: a Planning Statement; Planning Statement Addendum; Pre-Application Consultation (PAC) Report; Design and Access Statement; Commercial Demand Reports; Socio-Economic and Human Health Assessment; Stage 1 Road Safety Audits; and an Environmental Impact Assessment.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

The application has been accompanied with an Environmental Impact Assessment (EIA) as it is considered there are likely to be significant effects on the environment. The EIA compiles, evaluates and presents the likely significant environmental effects resulting from the proposed development. The EIA also identifies and incorporates appropriate mitigation measures in order to avoid, reduce and where possible to remedy potential significant environmental effects.

The scope of the EIA was informed by the Scoping Opinion adopted by Inverclyde Council on 29th April 2009. A number of topics were “scoped out” where no likely significant effects are anticipated. These “scoped out” topics relate to: cultural heritage and archaeology; climate change and greenhouse gases; risk of major accidents and disasters; waste; wind microclimate; daylighting, sunlight and overshadowing; and lighting.

The likely significant environmental effects identified in the EIA relate to: traffic and transport; ecology; air quality; noise; hydrology and hydrogeology; geology and soils; and landscape and visual. These shall be considered later in this report.

## **DEVELOPMENT PLAN POLICIES**

### **Clydeplan Strategic Development Plan (approved July 2017)**

The Spatial Development Strategy of Clydeplan supports a presumption in favour of sustainable development that contributes to economic growth. The regeneration focus looks to direct development to sustainable brownfield locations maximising the use of existing infrastructure and assets, integrate land use with sustainable transport networks, recycle previously developed land and ensure minimal extension of the city region's built up area.

The Strategic Development Plan (SDP) indicates that housing plays a fundamental role in the overall economic, social and environmental success of the city region. Housebuilding makes an important contribution to the city region's economy and as well as creating new homes, it delivers wider societal benefits through the generation of employment, and by sustaining and enhancing local community facilities such as schools, shops, recreation facilities and open spaces. The SDP is committed to supporting growth by creating high quality places which deliver the right type of homes in the right locations.

With regard to housing, the Vision and Spatial Development Strategy of the SDP supports the provision of high quality and affordable housing in the right location which is central to the creation of a successful, sustainable and growing city region. This will be realised through the prioritisation of regeneration activities, the recycling of previously used land, and higher density development in support of the delivery of the Plan's compact city model. The strategy also includes a range of large scale planned greenfield sites including the Community Growth Areas, released through earlier plans which are either still under development or still to commence, as well as a range and choice of other greenfield and brownfield sites. The SDP seeks to fully support the housing and development industry to provide homes of the right tenure, quality and in locations which accord with the Vision and Spatial Development Strategy. A key element is to ensure the provision of a generous and effective supply of land for housing.

#### **Policy 1 - Placemaking**

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

#### **Policy 3 - Glasgow and Clyde Valley City Deal**

In support of the Vision and Spatial Development Strategy Clydeplan will support the Member Authorities in the development of the City Deal Programme and related projects.

#### **Policy 4 - Network of Strategic Centres**

Strategic centres are the hub of the city region's communities supporting a range of economic and social activities. It is recognised that the economic and social significance of Glasgow City Centre and its diverse range of core functions sets it apart from all other strategic centres.

To support the Vision and Spatial Development Strategy all strategic development proposals should:

- protect and enhance the development of the network of strategic centres in line with their role and function, challenges and future actions set out in Schedule 2;
- protect and enhance the long term health of Glasgow City Centre to ensure there is no detrimental impact on its role and function, as set out in Schedule 2 and in support of Joint Strategic Commitment – Glasgow City Centre; and,

- recognise that whilst the Network of Strategic Centres is the preferred location for strategic scale development, such proposals are subject to the sequential approach set out in Scottish Planning Policy and the assessment of impact on the other Strategic Centres in the network and town centres to ensure that there is no detrimental impact on their role and function.

### **Policy 7 - Joint Action towards the Delivery of New Homes**

In order to enhance housing delivery and contribute to the creation of high quality places, Local Authorities, Community Planning Partners and the housebuilding and development industry will work to ensure the delivery of the homes needed to support the Vision and Spatial Strategy.

Local Authorities, at all levels and using a range of measures, should continue to work proactively and collaboratively with housing delivery stakeholders.

Joint action should seek to prioritise activities including the allocation of resources and development of innovative mechanisms, which improve housing delivery across all sectors. This should focus on the existing housing land supply and public sector estate whilst bringing forward new opportunities in accordance with Policy 8

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

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

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

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

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

## **Policy 9 - Housing - Affordable and Specialist Provision**

In order to support the delivery of affordable housing, including social and specialist provision housing, and meet housing need, in support of the Vision and Spatial Development Strategy, local authorities should through appropriate mechanisms including Local Development Plans, Single Outcome Agreements, Local Housing Strategies, Supplementary Planning Guidance, and masterplans:

- develop appropriate policy responses where required, including affordable housing, specialist housing and development contributions policies, to deliver housing products taking account of the Housing Need and Demand Assessment (May 2015) as well as local evidence and circumstances; and
- ensure that any affordable housing, specialist housing and development contributions policies, are applied in a manner that enables the delivery of housing developments.

## **Policy 10 - Delivering Heat and Electricity**

In support of the transition to a low carbon economy and realisation of the Vision and Spatial Development Strategy, support should be given, where appropriate, to alternative renewable technologies and associated infrastructure.

### Heat Mapping

Subject to the satisfactory resolution of data access issues, Supplementary Guidance will be prepared to address cross boundary issues for strategic heat infrastructure.

Local Development Plans should:

- o consider the use of heat mapping to support developments, infrastructure or retrofit projects which deliver energy efficiency and the recovery of energy that would otherwise be wasted both in the specific development and in the surrounding area; and,
- o set out the factors to be taken into account in considering proposals for energy development dependent on the scale of the proposal and its relationship to the surrounding area.

### Renewable Heat

Local Development Plans should support renewable energy and heat targets by:

- o seeking to identify key settlements or major growth areas with potential for district and heating networks, and promoting district heating and cooling networks including across Local Authority boundaries; and,
- o seeking to identify opportunities for heat efficiency and renewable heat, for example waste water treatment works and industries producing surplus heat.

### Onshore Wind

In order to support onshore wind farms, Local Development Plans should finalise the detailed spatial framework for onshore wind for their areas in accordance with SPP, confirming which scale of development it relates to and the separation distances around settlements. Local Development Plans should also set out the considerations which will apply to proposals for wind energy development, including landscape capacity and impacts on communities and natural heritage. Proposals should accord with the spatial framework set out in Diagram 6 and finalised in Local Development Plans.

## **Policy 12 - Green Network and Green Infrastructure**

In support of the Vision and Spatial Development Strategy and the delivery of the Glasgow and the Clyde Valley Green Network, Local Authorities should

- identify, protect, promote and enhance the Green Network, including cross-boundary links with adjoining Local Authorities;
- ensure that development proposals, including the Community Growth Areas, integrate the Green Network and prioritise green infrastructure from the outset, based upon an analysis of the context within which the development will be located; and,
- prioritise the delivery of the Green Network within the Strategic Delivery Areas (Diagram 7, Schedule 11)

## **Policy 13 - Forestry and Woodland**

In support of the Vision and Spatial Development Strategy and to achieve the national woodland coverage targets set out in the Scottish Forestry Strategy (2006), development proposals, where appropriate, should

- support the retention and expansion of forestry and woodland (or multi-functional woodland resource) in keeping with the Forestry and Woodland Strategy and related Spatial Framework (Background Report 12); and,
- minimise the loss of existing trees and include, where appropriate, the planting of new trees, woodlands and forestry in support of the Scottish Government's Control of Woodland Removal Policy or as replaced by Supplementary Guidance referred to below.

Supplementary Guidance will be produced to replace the Forestry and Woodland Strategy (Background Report 12). This will update the information and guidance currently contained within it, including that set out at paragraph 8.12. The Supplementary Guidance should be submitted to Ministers within 1 year of the date of approval of this plan.

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

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

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

## **Policy - 18 Strategic Walking and Cycling Network**

In support of the Vision and Spatial Development Strategy and in recognition of the health and wellbeing benefits of walking and cycling for both active travel and recreation, the following is required:

- prioritisation of investment to ensure the delivery of the indicative strategic walking and cycling



network as set out in Diagram 9;

- Local Development Plans to identify and safeguard existing walking and cycling networks and to promote opportunities for the enhancement of the strategic walking and cycling network; and,
- development proposals to maintain and enhance the strategic walking and cycling network, including where applicable the Glasgow and Clyde Valley City Deal projects and the Central Scotland Green Network National Development.

### **Inverclyde Local Development Plan (adopted August 2019)**

The following Local Development Plan (LDP) policies are relevant to the consideration of this application.

#### **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 2 - Priority Projects**

The Council will support, in principle, development proposals associated with the Priority Projects listed in Schedule 1.

#### **Policy 3 - Priority Places**

The Council will support comprehensive redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places 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 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 the resources protected by the Plan's historic buildings and places and natural and open spaces chapters.

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 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 12 - Air Quality**

Development that could have a detrimental impact on air quality, or would introduce a sensitive receptor to an area with poor air quality, will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

## **Policy 14 - Green Belt and Countryside**

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

## **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 22 - Network of Centres Strategy**

The preferred locations for the uses set out in Schedule 6 are within the network of town and local centres identified in Schedule 7. Proposals which accord with the role and function of the network of centres as set out in Schedule 7 and the opportunities identified in Schedule 8 will be supported. Proposals for Schedule 6 uses outwith the network of centres or not conforming with the role and function of a particular centre will only be supported if it can be demonstrated that:

- a there is not a suitable sequentially preferable opportunity;
- b there will not be an unacceptable impact on the vibrancy, vitality or viability of other centres within the network of centres; and
- c there are clear community or economic benefits that can be best achieved at the proposed location.

Proposals for Business (Class 4), residential and hotel uses will also be supported in town and local centres.

## **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:

- 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;
- 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
- a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

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

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

### **Policy 38 - Path Network**

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

Where applicable, development proposals will be required to provide new paths in order to encourage active travel and/or connectivity to the green network. The provision of routes along water will be an essential requirement on development sites with access to a waterfront, unless not appropriate for operational or health and safety reasons.

### **Policy 39 - Water Environment**

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

- supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;
- minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;
- the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;
- avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements;
- maintaining or improving waterside and water-based habitats; and
- providing access to the water and waterside, where appropriate.

**The Supplementary Guidance on Priority Places** applies.

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

### **Proposed Inverclyde Local Development Plan**

The following proposed Local Development Plan (LDP) policies are relevant to the consideration of this application.

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

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing and assessing development proposals, consideration must be given to the factors set out in Figure 2 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

#### **Policy 2 - Priority Projects**

The Council will support, in principle, development proposals associated with the Priority Projects listed in Schedule 1.

#### **Policy 3 - Priority Places**

The Council will support redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance.

## **Policy 5 - Heat Networks**

Major Developments will be required to meet heat demand through a district heating network or other low-carbon alternative, unless the application is accompanied by an energy statement clearly demonstrating that this is not feasible. 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 20% 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 25% by the end of 2025.

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 or natural 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 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 the resources protected by the Plan's historic buildings and places and natural and open spaces chapters.

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 8 - Climate Change Adaptation**

Where required by planning guidance, Major Developments are to be accompanied by a Climate Risk and Vulnerability Assessment.

## **Policy 9 - 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 risk management 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 resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

### **Policy 10 - 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 4th 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:

- a) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- b) 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, which identifies who will be responsible for maintenance and how this will be funded in the long term.

### **Policy 11 - 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, including links to the wider walking, cycling network and public transport 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 national, regional and 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; and the resources protected by the Plan's historic buildings and places and natural and open spaces chapters.



## **Policy 12 - 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, including cycle parking standards. Developers are required to provide or financially contribute to improvements to the transport network that are necessary as a result of the proposed development.

## **Policy 13 - Air Quality**

Development that could have a detrimental impact on air quality, or would introduce a sensitive receptor to an area with poor air quality, will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level.

## **Policy 15 - Green Belt and Countryside**

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) within the curtilage of an existing use, which is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location. Proposals in the green belt must not undermine the objectives of the green belt as set out in Scottish Planning Policy and the Clydeplan Strategic Development Plan. Non-conforming uses will only be considered favourably in exceptional or mitigating circumstances.

## **Policy 17 - Brownfield Development**

The Council offers in principle support for proposals to bring brownfield sites in the urban area into beneficial use.

Proposals for the temporary greening of brownfield sites will be supported where it is demonstrated that they will deliver a positive impact to the local environment and overall amenity of the area. For sites identified for development in this Plan, temporary greening projects should not prejudice the future development of the site.

Proposals for advanced structure planting to create a landscape framework for future development on sites identified in the Plan will be supported.

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 are acceptable to the Council and ensure that the site can be made suitable for the proposed use.

## **Policy 18 - Land for Housing**

To enable delivery of the Clydeplan Strategic Development Plan housing supply target for Inverclyde, new housing development will be supported on the sites identified in Schedule 3, 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 Design Guidance for Residential Development, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

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 the following criteria:

- 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;
- c) that the proposal is for sustainable development; and
- d) evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.

There will be a requirement for 25% of houses on greenfield housing sites in the Inverclyde villages to be for affordable housing. Supplementary Guidance will be prepared in respect of this requirement.

## **Policy 21 - Wheelchair accessible housing**

The Council will seek the provision of 5% wheelchair accessible housing on new build development sites of 20 or more units. Developers will be required to demonstrate that they have considered the demand for and provision of wheelchair accessible housing if they are seeking an exemption from this requirement.

## **Policy 22 - Community Facilities**

Proposals for the new community facilities identified in Schedule 4 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 (including cultural/performance venues) will need to demonstrate that the facility is no longer required for the existing or an alternative community use.

The Council will produce Supplementary Guidance setting out the circumstances under which it will seek financial contributions from the developers of new housing towards new or extended community infrastructure required as a result of that housing development.

## **Policy 23 - Network of Centres Strategy**

The preferred locations for the uses set out in Schedule 5 are within the network of town and local centres identified in Schedule 6. Proposals which accord with the role and function of the network of centres as set out in Schedule 6 and the opportunities identified in Schedule 7 will be supported. Proposals for Schedule 6 uses outwith the network of centres or not conforming with the role and function of a particular centre will only be supported if it can be demonstrated that:

- a) there is not a suitable sequentially preferable opportunity;
- b) there will not be an unacceptable impact on the vibrancy, vitality or viability of other centres within the network of centres; and

- c) there are clear community or economic benefits that can be best achieved at the proposed location.

Proposals for Business (Class 4), residential and hotel uses will also be supported in town and local centres.

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

#### **European sites**

Development proposals that are likely to have a significant effect on a European site which are not directly connected with or necessary to their conservation management must 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 either during construction or operation of the development, 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 network is protected.

In such cases, the Scottish Ministers must be notified.

#### **Sites of Special Scientific Interest**

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

#### **Protected Species**

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

#### **Local Nature Conservation Sites**

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

#### **Non-designated sites**

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 - Landscape**

The siting and design of development should take account of local landscape character and setting in order to conserve, enhance and /or restore landscape character and distinctiveness. Development should aim to conserve those features that contribute to local distinctiveness including:

- a) the setting of buildings and settlements within the landscape

- b) the pattern of woodlands, fields, hedgerows and trees; especially where they define/ create a positive settlement/ urban edge
- c) the character and distinct qualities of river corridors
- d) historic landscapes
- e) topographic features, including important/ prominent views, vistas and panoramas

When assessing development proposals likely to have a significant impact on the landscape, the guidance contained in the Glasgow and Clyde Valley Landscape Character Assessment will be taken into account.

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special landscape qualities 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 amended to avoid or mitigate these impacts through being informed by a landscape and visual impact assessment.

### **Policy 35 - Trees, Woodland and Forestry**

The Council supports the retention of trees, including 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; or
- 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.

Proposals for new forestry/woodland planting will be assessed with regard to the policies of this Plan and the Forestry and Woodland Strategy for the Glasgow City Region.

### **Policy 36 - Safeguarding Green Infrastructure**

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.

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

## **Policy 37 - Delivering Green Infrastructure through New Development**

Green infrastructure provision should be informed by an appraisal of the existing natural features and ecosystems services on and in close proximity to the proposed development site and fully incorporated into the wider design process at an early stage, in line with the approach to be set out in the Supplementary Guidance on Green Infrastructure.

Development proposals are required to provide open space in line with the standards to be set out in Supplementary Guidance on Green Infrastructure. The Supplementary Guidance will also set out circumstances under which off-site provision or a developer contribution towards green infrastructure will be provided.

Where opportunities exist, development proposals will be required to provide new paths linking to the active travel network. The provision of routes along water will be an essential requirement on development sites with access to a waterfront, unless not appropriate for operational or health and safety reasons.

Development proposals are required to demonstrate how naturalised features will be incorporated into SuDS provision, in order to provide additional benefits such as habitat creation and open space. Where a SuDS proposal forms part of open space provision, it should be made safe and accessible.

The Supplementary Guidance on Green Infrastructure will set out how biodiversity enhancement can be incorporated into new developments, and the circumstances in which provision will be expected.

Green infrastructure proposals should be supported by information on how long term management will be achieved, including maintenance requirements, who will be responsible for meeting these requirements, and how they will be funded.

## **Policy 39 - Water Environment**

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

- a) supporting the strategies and actions of the national and regional marine plans, and supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;
- b) minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;
- c) the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;
- d) avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements;
- e) maintaining or improving waterside and water-based habitats; and
- f) providing appropriately sized buffer strips between development and watercourses, in line with SEPA guidance, and providing access to the water and waterside, where appropriate.

**The Draft Supplementary Guidance on Priority Places** applies.

**The Draft Supplementary Guidance on Energy** applies.

**Draft Planning Application Advice Note (PAAN) 3** on “Private and Public Open Space Provision in New Residential Development” apply.

## CONSULTATIONS

**Transport Scotland** - Recommends the following conditions should the Council decide to grant permission:

- Construction of any part of the development hereby permitted shall not commence until the new access roundabout with the A78(T), generally as illustrated on Stantec Drawing No.42018/2001/SK127, has been constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
- Construction of any part of the development hereby permitted shall not commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed Plan. In particular, the CTMP shall identify measures to restrict the use of the new site access roundabout on the A 78(T) to construction traffic only, for the period prior to it being upgraded to traffic signal control.
- No more than 200 residential units shall be occupied until the new access roundabout with the A78(T) has been upgraded to traffic signal control, generally as illustrated on Stantec Drawing No. 42018/2001/SK128, to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
- No more than 200 residential units shall be occupied until the A78(T) northbound off-slip has been blocked off, generally as illustrated on Stantec Drawing No. 42018/2001/SK128, to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
- No part of the development hereby permitted shall be occupied until the junctions of Main Street (North) and Harbourside (Kip Marina) with the A78(T) have been upgraded to traffic signal control, generally as illustrated on Stantec Drawing No. 42018/2001/SK129, to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
- Prior to occupation of any part of the development hereby permitted, a new footway/cycleway along the west side of the A78(T), generally as illustrated on Stantec Drawings No. 45459-5508-100 and 45459-5508-101, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

**Head of Service - Roads and Transportation** – Advises the various roads and drainage infrastructure issues associated with the proposal are acceptable. The following comments below have been made and conditions recommended for further details to be submitted for approval:

- Parking for each dwelling should be provided in accordance with the National Guidelines:

1 bedroom	1 parking space
2-3 bedrooms	2 parking spaces
4 bedrooms	3 parking spaces

- The parking standards for the other potential uses shall be provided in accordance with the National Roads Development Guide for cars, cycles, motor cycles and disabled users.
- Driveways should have minimum dimensions of 3.0m wide by 5.5m long for each vehicle. They should be paved for a minimum distance of 2.0m to prevent loose driveway material

being spilled onto the road and the gradient should not exceed 10%. Any visitor parking spaces shall be a minimum of 2.5m by 5.0m.

- Parking should be designed to discourage parking on key routes as we currently experience at Kingston Dock due to having no parking directly adjacent to residential properties.
- Within car parks spaces shall be a minimum of 2.5m by 5.0m with a 6.0m aisle.
- All roads within the site shall be a minimum of 5.5m wide and have a gradient of 8% or less.
- The road network throughout the site should be designed to encourage a 20mph speed limit. This should be self-enforcing.
- The road network should encourage buses to access the site to offer public transport to residents and users of the neighbourhood centre.
- All footways within the site shall be a minimum of 2.0m wide. Footway links shall be provided to the surrounding pedestrian network offering travel to Inverkip, Wemyss Bay and beyond.
- Cycle routes should be provided linking the various elements of the development and towards the National Cycle Network. Figure 4.7 (Page 4.39) of the Transport Assessment shows how the developer might achieve this. These routes should include a 2m wide footway and 2m wide cycleway.
- 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.
- With regards the Transport Assessment please address the following points: The number of new trips to the retail element of the site seems low. Full details of trip generation for the whole development to be submitted and agreed at detailed planning stage. Given the distance to the nearest train station it is unlikely that people will walk or cycle to the train station therefore the trips by train should be added to the vehicle trips and assessed within the junction analysis. Also there is no mention of where people would park at the train station (s) where there is already high demand. The design year of 2022 given by the applicant for completion of the whole development is unrealistic. Figures should be assessed for a realistic completion of the whole site of 10 years+ should be provided and assessed within the junction analysis. The Transport Assessment should be updated as part of the detailed planning application once the content of the site is finalised should the trip generation increase. The Travel Plan should be updated to provide more detail as part of the detailed planning application once the site content has been finalised.
- Following discussions with the applicant they have agreed to introduce a shuttle bus service between the development and Inverkip Rail Station (Lochans Drive) until a commercial service is provided. This will prevent overcrowding in the station car park and promote sustainable travel. This shall be conditioned within any planning approval. The wording of any condition shall be agreed with the Roads Service.
- All surface water during and after development should be attenuated to that of greenfield run off.
- Confirmation of Scottish Water's Strategic DIA and what impacts it has on the proposed DIA for the development and required approvals from Scottish Water for connections to their

network to be provided shall be submitted to IC. Potential condition wording - Details and design of the foul drainage system to be submitted for approval.

- The Flood Risk Assessment is acceptable in principle, however detailed drawings will have to be submitted for approval at detailed planning stage to ensure the recommendations contained within the FRA have been addressed. Potential condition wording - Detailed FRA to be submitted for approval showing drainage design.
- The Drainage Strategy Report is acceptable in principle, however detailed drawings will have to be submitted for approval at detailed planning stage to ensure the recommendations contained within the Drainage Strategy Report have been addressed. Potential condition wording - Details of the surface water drainage design and strategy to be submitted for approval showing that the surface water flow from the site is limited to that of greenfield runoff.
- An updated report regarding the existing seawall shall be undertaken to ensure both the seawall and rock armour revetment are in an acceptable condition and submitted to the Council prior to development commencing.
- Further investigation of the unnamed water course at the northern end of the site should be submitted to identify if any mitigation measures are required to prevent flood risk and what impact these may have on the drainage strategy for the site. By condition.
- Further investigation into ground water flooding should be carried out to determine any impact on the drainage strategy and detail any mitigation measures required. By condition.
- Confirm maintenance responsibilities for the de-culverted Brueacre Burn within the site. By condition.

**Education** - Advises the development is within the catchment of St Columba's High School, which is currently experiencing some capacity pressure. However, Education Services assessment, based on currently available information, is that the school estate will be able to accommodate additional pupils from this development in the future.

**Clydeport Operations Ltd** - No objections to this project in principle. However, for any marine works, i.e., quay wall repairs/works to the existing marine infrastructure/installation of new marine infrastructure/outfalls etc, contact should be made at an early stage to discuss Clydeport notification and licensing requirements.

**Scottish Environment Protection Agency** - No objections. Conditions are recommended relating to: the new channel of the Brueacre Burn is sized in accordance with Section 7 of the Flood Risk Assessment; the development platform for the site is set at 5.0m Above Ordnance Datum and the Finished Floor Level (FFL) of all properties is set at a minimum of 600mm above this level; and geomorphological modelling is undertaken to inform the design of the new channel of the Brueacre Burn.

**NatureScot** - Content with the conclusion that, based upon the implementation of the mitigation during the construction and operational phases of the proposed development, it is considered that there will be no long-term significant adverse effects upon biodiversity, with potential long-term improvement to local biodiversity. This is an important and strategically located site, which has the potential to beneficially connect visitors and communities along the waterfront. Considers more could be done to exploit design opportunities and the natural assets of the site and its surroundings, following placemaking principles. This is a great opportunity to provide an exemplar, especially given the poor quality of adjacent coastal development.



**Scottish Water** - No objection. Advises that a formal sewer network assessment will be required for the proposed development at this time. This assessment and subsequent actions must be agreed in writing with Scottish Water prior to foul flows being accepted into the combined sewer network. Surface water must be discharged to the watercourse via a suitable SUD system with due regard to the nearby bathing water designation (UKS7616078 – Lunderston Bay). Investigation is required to ensure that there is currently capacity at the wastewater treatment works to support this development and this assessment is valid subject to no major catchment change or development between the date of the assessment and the formal application for connection. Further studies are required to be carried out to determine if the existing water network can adequately service the demands of the development or if any mitigation/enhancement work is necessary. A Hydraulic Water Impact Assessment (WIA) is required for a development of this size. The applicant should at the earliest opportunity engage with Scottish Water to confirm and where required remediate any: asset impacts, build-overs and flooding other than sewer network flooding noted on the flooding register. The applicant should ensure that the final finished floor level is verified as not being at risk of flooding at detailed design. It is recommended that the site is confirmed as not being at risk from flooding on the SEPA flood risk maps and as per any local authority requirements. It is assumed that the development will discharge under gravity conditions with a point of connection confirmed at technical audit which assures compliance with Sewers for Scotland.

Further advises that all proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted to fully appraise the proposals. The development proposals may impact on existing Scottish Water assets and the applicant must identify any potential conflicts with these and contact the Asset Impact Team to apply for a diversion. For reasons of sustainability and to protect customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into their combined sewer system.

**Health and Safety Executive** - Comments that the Health and Safety Executive is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines. This application does not fall within any of these consultation zones and therefore has no comment to make.

**Head of Public Protection and Covid Recovery** - No objections. Conditions in respect of ground contamination and Japanese Knotweed, specification of the containers to be used to store waste materials and recyclable materials, external lighting, hours of works and sound insulation complying with the building regulations are recommended.

**Strathclyde Partnership for Transport** - No objection to the principle of the proposed development. Recommends conditions to encourage sustainable travel and reduce reliance on private car use relating to: cycle parking and the ability to easily charge electric vehicles for residential units; provision of a mobility hub at a central location; investigation of the reinstatement of the bus stops on the A78; detailed design and layout of the proposed bus stops within the site; development and delivery of a site wide travel plan; and development and phased delivery of a sustainable access strategy.

In addition, sufficient funding and commitment should be identified through a legal agreement to ensure the delivery of the sustainable access strategy and travel plan.

**Network Rail** - Network Rail considers that the proposal will have no impact on railway infrastructure and therefore have no comments/objections to this application.

**The Woodland Trust Scotland** - Objects on the basis of damage and likely loss of Wemyss Plantation.

**Historic Environment Scotland** - Indicates when they responded to the Scoping Report for the proposed development (11th April 2019) it was noted that that there are no scheduled monuments, category A listed buildings, Inventory battlefields, gardens and designed landscapes or World

Heritage Sites within the proposed development boundary or its vicinity. Historic Environment Scotland have therefore considered the information received and do not have any comments to make on the proposals. Their decision not to provide comments should not be taken as support for the proposals and they advise this application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

**Archaeology Advisor** - Given the large scale and comprehensive disturbance of the proposed development area in the early 1970s it is extremely unlikely that there is any surviving archaeology within the boundary of the proposed development. Therefore there is no requirement for any archaeological mitigation in relation to this development.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 26th February 2021 as there are no premises on neighbouring land as well as being accompanied with an Environmental Impact Assessment. The application was also advertised in the Edinburgh Gazette on 26th February 2021 as the application is accompanied with an Environmental Impact Assessment.

## **SITE NOTICES**

This type of application does not require a site notice.

## **PUBLIC PARTICIPATION**

Objections have been received from 233 individuals and the points raised can be summarised as follows:

### Policy

- No need for the development
- Alternative uses suitable for the site
- Loss of Green Belt
- Should remain as Green Belt

### Housing land

- No more housing needed
- Plenty of land in Greenock to build

### Roads and traffic

- Increase in traffic
- Congestion
- Increase in traffic accidents
- Roads will be unable to cope in conjunction with the IBM development
- Major upgrades to road network are required before development goes ahead
- Existing condition of roads not suitable for increased traffic
- Existing junction serving Spey Road should be retained with no change to A78 northbound junction or closing of slip road which will cause lengthy detour through site and longer journey times
- Traffic management survey flawed and the recommendations will cause disruption to traffic and businesses
- The proposed roundabout will destroy traffic flow
- Traffic having to go through the site during construction and after completion of development will be dangerous
- The roundabout does not need signalised

- Will area be adopted by the Council

#### Transport and connectivity

- Impact on Wemyss Bay Station parking
- Coastal walkway required linking Wemyss Bay to Inverkip
- Existing footpath between Wemyss Bay and Inverkip too narrow in terms of pedestrian safety
- Existing transport infrastructure will be unable to cope
- Better rail programme required with more trains per hour as well as earlier/later trains

#### Landscape, design and visual impact

- Quality of buildings to be constructed questioned
- Communal landscaping required
- There should be no trees on water's edge to block view of the sea
- Trees between the site and Wemyss Bay should be kept
- Loss of trees
- Removal of trees will expose homes at Blueacre Drive to be exposed to north wind and rain
- Layout and density of development
- Too many houses and overdevelopment
- The proposal does not include any real shopping/entertainment/sport/leisure
- No recreational facilities for children
- The site should be used to provide new shops/leisure/healthcare/restaurants/tourism development instead
- Landscape buffer/wildlife corridor not wide enough

#### Service and infrastructure impact

- Impact on schools capacity and not being able to cope with increase in numbers
- Impact on healthcare services
- Insufficient infrastructure
- Area lacks hotel/restaurant and these are needed instead of takeaways
- If approved all houses should have electric charging points

#### Heritage

- Impact on conservation area

#### Environment, ecology and recreation

- Adverse impact on the environment
- Impact on wildlife
- Detrimental impact on greenspace if forest leading from Innellan Road to site is used as route
- Environmental impact
- Possible pollution of marina
- Increase in marine pollution and marine litter
- Insufficient existing amenities in area

#### Residential amenity

- Noise from new homes
- Construction noise
- Disruption during construction and length of disruption
- Loss of privacy

- Overlooking from proposed houses in an elevated position
- Security risk and increase in house breaking
- Increase in vandalism
- Risk of anti-social behaviour
- Adverse impact on the local community
- Additional pollution
- No beneficial contribution to community

### Procedure

- Previous consultation misleading as plans did not show housing backing onto Blueacre Drive
- Will objections to previous application be taken into account?
- If approved should be limited to a sole developer to ensure all amenities and leisure on plans are delivered
- What guarantees that non-residential units will be completed and function?

### Other issues

- Limited internet provision and internet speed
- The original agreement was for the land to be returned to open space when de-commissioned
- Hazardous materials
- Motivation for development is profit and council tax
- Overpriced houses
- No jobs for incoming families
- A permanent police presence will be required

A further 6 representations in support of the application have been received and the points of support can be summarised as:

- Lack of choice and availability of housing in the Inverkip area
- Interest in development as a first time buyer
- Will be good for area if there are sufficient shops, schools, etc are built too
- Needs to be a new school, doctors surgery and dentist built in the site

A further 4 representations neither supporting nor objecting to the application have been received including from Inverkip Community Council. The points can be summarised as:

- Welcome addition to area
- New homes on unused wasteland
- Coastal location will be a nice location for a new development
- Hopes new houses comes with a new school and leisure amenities
- Accepts housing will be built
- Impact on wildlife
- Roads infrastructure not sufficient and will result in congestion
- Questions how primary and secondary schools will cope
- In objection in principle however comments made on: position of proposed roundabout; lack of amenities and infrastructure in Inverkip and Wemyss Bay to accommodate development; light pollution; noise pollution; and site at risk of flooding in terms of global warming

### **ASSESSMENT**

This application is a Major Development as defined by The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. It is also subject of an Environmental Impact Assessment (EIA). National Planning Policy requires to be considered including the National Planning Framework (NPF) 3 and Scottish Planning Policy (SPP). The Development Plan consists

of the Clydeplan Strategic Development Plan 2017 (SDP) and the 2019 adopted Inverclyde Local Development Plan (LDP). The 2021 proposed Inverclyde Local Development Plan sets out the emerging policy position.

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

## **The Policy Context**

### National Policy

The National Planning Framework (NPF) 3 and Scottish Planning Policy 2014 (SPP) are the two key national planning documents that set the framework for development across Scotland. It is noted that consultation is currently ongoing on the draft NPF4. A draft of NPF4 was presented to the Scottish Parliament on 19th November 2021. NPF4 indicates a “direction of travel” although at this time is not considered to carry any significant weight in consideration of the proposal. NPF3 and SPP remain in place until such times as NPF4 is adopted by the Scottish Ministers.

NPF3 identifies four primary outcomes for the long-term spatial development of Scotland: a successful sustainable place; a low carbon place; a natural resilient place; and a connected place. NPF3 notes the Scottish Government’s desire for a significant increase in house building to ensure housing requirements are met. 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.

SPP introduces a presumption in favour of development that contributes to sustainable development and indicates that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place but not to allow development at any cost. Planning policies and decisions should support sustainable development. It also 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 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. Decisions on applications should be guided by the principles set out in paragraph 29 of SPP.

SPP indicates proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date plans, SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.

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. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in SPP.

Where a plan is under review, SPP indicates it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan.

Having considered the principles set out in paragraph 29 of SPP, this proposal is a sustainable development primarily involving the efficient use of existing capacities of land and supporting delivery of accessible housing at an existing urban location instead of being development in a green belt location.

With regard to Placemaking, the SPP sets out the following policy principles: planning should take every opportunity to create high quality places by taking a design-led approach; planning should direct the right development to the right place; and planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful places.

The SPP states that where the planning authority considers it appropriate, the development plan may designate a Green Belt around a settlement to support the spatial strategy by directing development to the most appropriate locations and supporting regeneration, protecting and enhancing the character, landscape setting and identity of the settlement and protecting and providing access to open space.

The SPP states that the planning system should identify a generous supply of land for each housing market area to support the achievement of the housing land requirement across all tenures, maintaining at least a five-year supply of effective housing land at all times. The 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. 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. They should provide for a minimum of five year's effective land supply at all times. Where a proposal for housing development is for sustainable development and the decision-maker establishes that there is a shortfall in the housing land supply, the shortfall is a material consideration in favour of the proposal.

Both Strategic and Local Development Plan policies are required to follow national policy.



Access road leading down into the site at bend in road before the former power station gatehouse

### 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.

The SDP sets out a strategic vision for the area based on a compact city region model, focused on centres, regeneration, economy, low carbon infrastructure and placemaking. The vision is supported by a spatial development strategy and supporting policies. The main focus of the spatial development strategy is a development corridor running east-west through the city-region paralleling the River Clyde and M8 corridor. A key component of the spatial development strategy is Community Growth Areas, of which there are 13, with a combined capacity to deliver approximately 19,000 new houses. They provide an opportunity to create low carbon sustainable communities through a master planned and design led approach by incorporating a range of housing types, tenures and density; integrated green infrastructure active travel links; renewable energy options; mixed uses including community infrastructure, and local scale employment. The closest one to Inverclyde is Bishopton.

Clydeplan Policy 1 relates to Placemaking with new development contributing towards creating high quality places and taking account of placemaking principles. The creation of this new community has the potential to create a distinctive place with its own character that can be safe and pleasant, easy to move around and connected. The redevelopment of this site therefore supports the compact city model as it priorities a brownfield location supporting low energy consumption and higher residential density within a mixed land use context. The redevelopment of this site strongly accords with the Spatial Development Strategy of Clydeplan. The detailed layout of the site and the proposed buildings to be constructed will of course have to be assessed when applications are submitted in the future. However the proposed redevelopment of this site is considered to accord with the various placemaking principles.

Clydeplan Policy 3 relates to the Glasgow and Clyde Valley City Deal projects aimed at delivering key strategic priorities. The former Inverkip Power Station is identified as one of these projects with the strategic priority being the Inverclyde Housing Market Area. The redevelopment of this site primarily for residential development to address population decline accords with the general terms of this policy.

Greenock is identified under Clydeplan Policy 4 as a Strategic Centre the role and function of which is as retail, civic, leisure, community, employment, business and residential with the challenges to address declining population and improve the quality of the environment, strengthen the retail role and acknowledge that parts of the area are subject to flood risk. The application site is not identified as a Strategic Centre although the proposed redevelopment for residential purposes would be in particular complimentary to the challenges of addressing population decline in the area.

Clydeplan Policy 7 requires that in order to enhance housing delivery and contribute to the creation of high quality places, Local Authorities, Community Planning Partners and the housebuilding and development industry will work to ensure the delivery of the homes needed to support the Vision and Spatial Strategy. Policy 8 sets out the position on Housing Land Requirement. It requires that a generous supply of land for housing be provided and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy. This should be achieved by making provision in Local Development Plans for the all tenure Housing Land Requirement, the Private Housing Land Requirement by Housing Sub-Market Area and for the Private Housing Land Requirement by Local Authority. The policy also makes it clear that Local Authorities should seek to allocate a range of sites which are effective or expected to become effective in the plan periods to meet the Housing Land Requirement, for each Housing Sub-Market Area and for each Local Authority, of the SDP up to year 10 from the expected year of adoption. It is also required that minimum 5 years of effective land supply at all times be provided for each Housing Sub-Market Area and for each Local Authority. In both the adopted and proposed Local Development Plan the site is identified as a Priority Place that is considered suitable for mixed use development including housing, community facilities, leisure, hotel, food and drink, public house, neighbourhood retail, financial and professional services, and business uses, and green infrastructure. The designation of the site for mixed use development has been in Local Plans since 2005 and currently forms part of the housing land supply for the Inverclyde Housing Market Area.

The proposal therefore accords with Clydeplan Policy 8 as the designation of the site in the adopted and proposed LDP contributes to the generous supply of land for housing and assists in the delivery of housing supply targets. This site is also one of a range of sites identified in the LDP for housing.

Clydeplan Policy 9 indicates that Local Authorities are to develop appropriate policy responses to secure affordable housing, specialist housing and development contribution policies to deliver housing products taking account of the Housing Need and Demand Assessment (May 2015). The proposed development is to include affordable housing although at this stage the specific details have not been given in this application. The principle of affordable housing as part of the proposed development accords with this policy although the specific details of the affordable housing delivery will be assessed when detailed applications are submitted in the future.

Clydeplan Policy 10 relates to delivering heat and electricity with development supporting the transition to a low carbon economy. Local Development Plans should use heat mapping and provide support for renewable energy and heat targets, identifying potential for district and heating networks and opportunities for heat efficiency and renewable heat. The applicant considers this policy can be addressed during the later detailed/approval of matters applications stage. It is considered that the terms of this policy are required to be adhered to and how this will be done will have to be assessed in more detail when detailed applications are submitted.

Clydeplan Policy 12 relates to the Green Network and Green Infrastructure and ensures that development proposals integrate the Green Network and prioritise green infrastructure from the outset based upon an analysis of the context within which the development will be located. The site is not located in the Glasgow and the Clyde Valley Green Network as identified on Diagram 7 of Clydeplan however green infrastructure is shown on the illustrative Masterplan submitted with the application and is to form a component part of the development. The details of the green infrastructure will have to be applied for in any subsequent detailed application however at this time the proposal would be considered to accord in general terms with Policy 12.

Clydeplan Policy 13 states development proposals should support the retention and expansion of forestry and woodland (or multi-functional woodland resource) in keeping with the Forestry and Woodland Strategy and related Spatial; and, minimise the loss of existing trees and include, where appropriate, the planting of new trees, woodlands and forestry in support of the Scottish Government's Control of Woodland Removal Policy or as replaced by Supplementary Guidance. The retention of the existing woodland and planting of new trees/woodland are again component parts of the proposal and at this time the proposal would be considered to accord in general terms with Policy 13.

Clydeplan Policy 16 states development proposals should protect and enhance the water environment by: adopting a precautionary approach to the reduction of flood risk; supporting the delivery of the Glasgow and the Clyde Valley Green Network; and safeguarding the storage capacity of the functional floodplain and higher lying areas for attenuation. Parts of the site are at significant risk of coastal and surface water flooding and that there is also a potential flood risk from the culverted sections of the Brueacre Burn which run through the site. A Flood Risk Assessment has been submitted which assesses the level of risk and identifies mitigation measures.

Flood mitigation measures are proposed with the existing sea wall being maintained at 5.5m AOD along the full extent of the western site boundary and the minimum platform level will be raised to 5m AOD. Finished Floor Levels will be set to a minimum of 5.6m AOD, therefore providing a minimum of 600mm freeboard above the design flood level. The proposals also include a 20m buffer from the sea wall to the adjacent development plots, further reducing coastal flood risk post-development. Additional drainage measures will also be incorporated along the western perimeter to ensure that any overtopping as a result of extreme wave action can be captured and conveyed away from properties. Measures will be incorporated to intercept, treat and attenuate surface water flows prior to discharge, therefore providing betterment over existing conditions and reducing flood risk within the site boundary. Surface water drainage is to be addressed within the site through the use of appropriate SUDS features including green roofs, permeable paving, swales, filter drains and bio



retention features. Final treatment features and locations will be confirmed during the detailed design stage when full details of the development plots are available.

The inclusion of the indicated flood mitigation measures as well as SUDS features is considered to accord with Clydeplan Policy 16 in terms of the approach to reducing flood risk.

The Vision and Spatial Development Strategy of Clydeplan supports pedestrian and cyclist friendly environments that are connected by a strategic walking and cycling network for both active travel and recreational purposes. A strategic walking and cycling network combines long-distance recreational routes, and more localised routes that have significant potential to encourage active travel, for example between residential areas and workplaces. Policy 18 indicates that there should be prioritisation of investment to ensure the delivery of the indicative strategic walking and cycling network as set out in Diagram 9; local development plans to identify and safeguard existing networks and promote opportunities for the enhancement of the network; and for development proposals to maintain and enhance the network. The walking/cycling route around the west side of the application site is identified as being aspirational on Diagram 9 and it links to the existing route along the A78. The proposed development presents the opportunity to deliver the aspirational route around the site and for this to connect to the existing route network and this aspect of the proposed development would be considered to accord in general terms with Policy 18.



View from interior of site looking west and showing position of former storage tanks

The proposed development is of a strategic scale as defined in Schedule 14 as the site exceeds 2 hectares and it has to be considered whether the proposed development supports the Vision and Spatial Development Strategy taking account of the relevant policies, schedules and diagrams appropriate to the type of development. The proposed development therefore has to be assessed against Box 1 of Diagram 10. Box 1 considers whether the proposed development supports the Vision and Spatial Development Strategy and the Placemaking Policy. Any development that fails to meet the relevant criteria in Box 1 will be regarded as a departure from the Strategic Development Plan.

The Vision and Spatial Development Strategy of Clydeplan aims for a compact city region, which has Glasgow city centre at its hub, with other centres of activity connected sustainably to it, all contributing to a low carbon economy and lifestyles. Development is to be directed to sustainable brownfield locations which maximise the re-use of resources. Clydeplan favours development that is well served by public transport and accessible by non-motorised means. Particular importance is given to development that could deliver the regeneration of previously developed land and buildings. Although the application site is not identified as being within the Clyde Waterfront development corridor and is not an identified as a Community Growth Area it is however identified as a City Deal project aimed at delivering key strategic priorities. The redevelopment of this brownfield site primarily for residential

development to address population decline supports the Vision and Spatial Development Strategy of the SDP.

The proposed development is therefore subject to Local Development Plan assessment.

### Local Policy

The 2019 Inverclyde Local Development Plan (adopted LDP) has the overall aim of contributing towards Inverclyde being an attractive and inclusive place to live, work, study, visit and invest, now and in the future, particularly through encouraging investment and new development, which is sustainably designed and located and contributes to the creation of successful places, and by protecting and enhancing the natural environment of Inverclyde.

Notwithstanding the recent quashing of Chapter 7 'Our Homes and Communities' of the 2019 Inverclyde Local Development Plan by the Court of Session, it remains that this brownfield site is identified as a "Priority Place" and Policy 3 of the adopted LDP supports the comprehensive redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance.

In response to the quashing of Chapter 7 of the 2019 LDP by the Court of Session, the Council has also acted quickly to commence an early review of the Plan. In December 2020, a Main Issues Report was published. In May 2021, the 2021 proposed Inverclyde Local Development Plan (proposed LDP) was published. The proposed LDP and associated draft Development Plan reconfirms the position set out within the adopted LDP. The indicative capacity for residential development is indicated as 670 residential units for this Priority Place.

### 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 material considerations in the assessment of this application are therefore the relevant policies of the adopted Inverclyde Local Development Plan; the relevant policies of the proposed Inverclyde Local Development Plan; Scottish Government policy on Designing Street; the possible visual impact of the proposed works; the impact on neighbouring amenity; the representations; and the consultation responses.

The key determining issues in this respect are:

- Is the proposed development sustainable development?
- Is the principle, location and design/layout of the development appropriate, taking into account:
  - The alignment with the planning strategy for the Priority Place designation;
  - The level of business development to be provided;
  - Proposals for a new neighbourhood centre;
  - The extent of residential development proposed as part of the development;
  - What socio-economic benefit would result from the development?
- Other planning issues that should be taken into account, including:
  - Does the EIA identify that the development would result in significant adverse effects?
  - Can the site be developed for the purpose proposed without detriment to the existing road network?
  - Is there capacity in respect of schools and local facilities for this development?

- Can a development with a focus on design and placemaking be achieved?
- Will there be an adverse visual impact on landscape character and can this be mitigated?
- What will be the impact on ecology, biodiversity and the natural environment?
- Will the site be accessible and well connected?
- Can ground conditions and contamination from the previous use be addressed appropriately?
- Will there be flooding implications and, if so, can these be addressed?
- What are the implications in respect of noise, vibration and air quality?
- Will there be an impact on built and cultural heritage?
- How will zero and low carbon generating technologies be incorporated into the development?

These issues shall be considered and assessed as follows against the relevant policies of both the adopted and proposed Local Development Plans, the relevant advice in the adopted and draft Priority Places Supplementary Guidance as well as the relevant adopted and draft Planning Application Advice Notes.

### Contribution to Sustainable Development

SPP is based on a presumption in favour of sustainable development. It reiterates that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Where a proposal is for sustainable development, the presumption in favour of sustainable development is a material consideration in favour of the proposal. Whether a proposed development is sustainable development should be assessed according to the principles set out in paragraph 29. Paragraph 28 seeks the right development in the right place but makes clear that the aim is not to allow development at any cost.

In considering the relevant principles of sustainable development in SPP paragraph 29 to determine whether the proposal would contribute to sustainable development, many of the outcomes sought are reflected by the development plan and are assessed and explored in further detail below.

In respect of the proposed development having regard to the principles for sustainable land use set out in the Land Use Strategy, the redevelopment of this vacant, brownfield site is appropriate in this regard. The development also supports regeneration priorities and makes efficient use of a previously developed brownfield site. The development would support the delivery of housing, business, retailing and leisure development as part of the mixed-use proposal.

With regard to climate change mitigation, the development will include measures relating to adapting to climate change including the use of low carbon technology. The development will contribute to improving health by providing for areas of open space for social interaction and physical activity. The proposal will also protect, enhance and promote access to green infrastructure and the wider environment. Matters relating to flood risk are also addressed.

The proposal involves development of a vacant brownfield site that has been identified in both the adopted and proposed Local Development Plans as a Priority Place. It is clear that the proposal reflects the relevant development principles of paragraph 29 of SPP and accordingly it is considered that the proposal is for development that contributes to sustainable development, as envisaged by SPP.

### The Principle of the Development. Location of the Proposed Development. Design and Layout

The Spatial Development Strategy of both the adopted and proposed Local Development Plans directs residential development to existing built-up areas in the first instance. The site has been identified as being suitable for development over a number of years in various local development plans and therefore accords in principle with this spatial strategy.

Although the application site boundary includes part of the Green Belt along the east side of the A78 the indicative masterplan does not actually include any construction within this part of the site. This area is shown as part of a tree belt and as a consequence the inclusion of this land within the application site boundary does not conflict with the terms of Policy 14 of the adopted LDP or Policy 15 of the proposed LDP.

Policy 1 of the adopted and proposed LDPs require all development to have regard to the six qualities of successful places. The relevant factors in this instance are being “Distinctive” in reflecting local architecture and urban form; “Easy to Move Around” by being well connected, with good path links to the wider path network, public transport nodes and neighbouring developments; “Safe and Pleasant” by avoiding conflict between adjacent uses by having regard to adverse impacts that may be created by flooding, invasion of privacy or overshadowing as well as minimising parking in the street scene; and “Welcoming” by integrating new development into existing communities.

The proposed development would create a new community and as the site is self-contained it will create its own urban form with particular character areas. The proposed development would also be connected to the surrounding urban area by a variety of modes, including walking and cycling with a local bus route nearby. The final design and appearance of the buildings will have to be applied for in future detailed applications in terms of how they relate to each plot, neighbouring plots and to the surrounding area. It is however considered that the proposed layout and where the houses are likely to be positioned/the possible build zones within the site and character areas are acceptable at this stage. The positions of the buildings within the character areas would not be considered to result in a loss of privacy to the existing houses in the surrounding area. The proposed development would therefore, at this stage, be considered to be “Distinctive”, “Easy to Move Around”, “Welcoming” and “Safe and Pleasant”.

Policy 18 of the proposed LDP indicates that to enable delivery of the Clydeplan Strategic Development Plan housing supply target for Inverclyde, new housing development is to be supported on the sites identified in Schedule 3 to the policy. The site is identified in this Schedule with an indicative capacity of 670 dwellings. The policy also requires that proposals for residential development be assessed against relevant Planning Application Advice Notes. The adopted and draft Planning Application Advice Notes (PAAN) 3 on “Private and Public Open Space Provision in New Residential Development” indicate that open space contributes to place making as well as to be used for outdoor leisure. For large scale development of more than 10 houses Both PAAN3s advise on the minimum sizes for gardens with rear gardens being at least 9m, front gardens at least 6m and at least 2m from the side boundary. Both PAAN3s also advise on the requirement for public open space and play areas as well as their location.

The specific details of how much garden ground is associated with each residential unit, the distance and the relationship to other units will be assessed in greater detail when the detailed applications are submitted for consideration.

I also note various objections and comments raising concerns over a range of issues including the quality of buildings to be constructed, layout and density, noise from new homes, loss of privacy, concerns of overdevelopment, recreational facilities for children and provision of non-residential facilities. There is nothing at this stage to suggest that such concerns cannot be addressed through detailed submissions.

Inverkip Infrastructure is identified as a Priority Project through the Glasgow City-Region City Deal in Policy 2 of both the adopted and proposed Local Development Plans. The Inverkip Infrastructure project is to address the restricted network and junction capacity on the A78 and at four locations in and around Inverkip. The project will release investment and enable the development of the Inverkip Power Station site, creating the potential for in excess of 600 houses and up to 6,000 square metres of commercial space. The proposed development is therefore considered to accord with Policy 2 of both the adopted and proposed Local Development Plans.

The majority of the application site is identified in both the adopted and proposed Local Development Plans as a Priority Place. Policy 3 of the adopted LDP indicates the Council will support comprehensive redevelopment proposals where they are in line with the preferred strategy in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance. Policy 3 of the proposed LDP indicates the Council will support redevelopment proposals for the Priority Places where these are in line with the preferred strategy set out in Schedule 2 and the development frameworks set out in the Priority Places Supplementary Guidance.

The preferred strategy in the adopted LDP is for mixed use development including housing, community facilities, leisure, hotel, food and drink, public house, neighbourhood retail, financial and professional services, and business uses. The preferred strategy in the proposed LDP is the same as the strategy in the adopted LDP with green infrastructure included.

The development framework in the adopted Priority Places Supplementary Guidance indicates this as being residential led with supporting uses including community facilities, neighbourhood retail and employment. Leisure and recreation, hotel, food and drink and public house uses are also identified to take advantage of the site's waterfront location and the opportunities this offers. The development footprint, which is generally restricted to the previously developed areas and utilises the landform sloping down to the coast, should be set around a centrally located area of open space around Brueacre Burn. Development proposals should ensure that the site provides good access links to adjacent settlements, in particular Wemyss Bay, but also to the north and Inverkip. The Coastal Access Route from Inverkip should be extended through the site by way of a new promenade. Open space should provide for a range of formal and informal activities, such as walking, picnics and children's play, etc. The provision of SUDS and landscaping should be designed to contribute to green infrastructure. Wherever possible, opening up the Brueacre Burn that runs through the centre of site will be a requirement. The principal elements of the planning strategy are illustrated on Diagram 4 in the adopted Priority Places Supplementary Guidance.

The development framework in the draft Priority Places Supplementary Guidance indicates this as being a mixed use development including housing, community facilities, leisure, hotel, food and drink, public house, neighbourhood retail, financial and professional services, and business uses, and green infrastructure. Development proposals are to address the full site. Proposals are required to take advantage of the waterfront location and maintain views over the Firth of Clyde from within and outwith the site, as well as views from the Firth of Clyde toward the waterfront. Open space should provide for a range of formal and informal activities, such as walking, picnics and children's play etc., with the daylighting of the Brueacre Burn forming a central feature of this provision. Pedestrian and cycling access should be provided throughout the development and along the waterfront, with the extension of the existing coastal path through the site being a key requirement. Public access to the existing slipway is required. The provision of open space, SUDS and landscaping should be integrated to maximise the benefits of these green infrastructure elements. Woodland and habitats are highlighted as being important and parts of the site identified as being at risk from coastal and surface water flooding.

The proposed development, with the exception of a hotel, strongly accords with the preferred development strategy in Policy 3 of both the adopted and proposed Local Development Plans and the development framework in the adopted and draft Priority Places Supplementary Guidance. The areas where development is to occur in the site also generally accords with what is shown on Diagram 4 of the adopted Priority Places Supplementary Guidance. The areas where the main components of the development is to occur in the site accords with the Diagram in the draft Priority Places Supplementary Guidance.

It is possible that health care services may locate in the proposed neighbourhood centre. However it should be noted that GP practices for example are often run as individual businesses who make a business case to expand and establish the practices. Given the development would be phased over a number of years and that the application site forms part of an identified redevelopment opportunity within the adopted and proposed LDPs, it is considered that local healthcare providers have sufficient opportunity to anticipate and phase any business cases to take account of the development.

The principle of the development at this location therefore accords with the relevant policies of the adopted and proposed Local Development Plans.

### Other Planning Issues

Concerns have been raised regarding the capacity of schools to accommodate children from the development. Education Services assessment, based on currently available information, is that the school estate will be able to accommodate additional pupils from this development in the future. It should also be borne in mind that the anticipated construction of the houses and flats and their subsequent occupation is likely to occur over a number of years. This will spread the intake of additional pupils over the time frame.

### *Zero and low carbon generating technologies*

Policy 5 of the adopted and proposed LDPs require 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 connect to a heat network from that source and any land required for infrastructure protected. The applicant considers the masterplan layout provides sufficient flexibility to maximise opportunities to deliver solutions for connection to low/zero carbon sources of energy in future.

SEPA recommends that new substantial development should ensure that their heat demand is met through district heating networks subject to the outcomes of feasibility statement prepared in line with Scottish Government advice. When detailed planning permission is sought the application should be supported by sufficient information to demonstrate how this issue will be addressed.



View from path adjacent to south side of former storage tanks looking east

The specific details of how the heat demand for the development can be met by low-carbon measures can be considered when detailed applications are submitted and at this time can be addressed by a planning condition.

Policy 6 of the adopted and proposed LDPs also seek to ensure that all new buildings are energy efficient and that at least 15% and 20% respectively of the carbon dioxide emissions standard (rising to at least 20% by the end of 2022 and 25% by the end of 2025 respectively) reduction set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This will however have to be assessed in greater detail when the specifics of the actual

buildings are applied for. The specific details of the proposed low and zero carbon generating technologies requirement can also be addressed by a condition if this application is granted.

Policy 7 of both the adopted and proposed LDP indicates 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. It will be expected that the layout of the various parts of the development will incorporate these within the design, the details of which will be assessed in greater detail when subsequent applications are submitted. The requirement to include facilities or areas for the separation, storage and collection of waste can be addressed by a planning condition should planning permission in principle be approved.

### *Flooding and Drainage*

In terms of Policy 8 of the adopted LDP and Policy 9 of the proposed LDP a Flood Risk Assessment (FRA) has been submitted to consider all aspects of flooding. The FRA identifies there is "little to no risk" of flooding from canal sources and "low" risk of flooding from groundwater, infrastructure and artificial sources. The site is at "high" risk of fluvial flooding associated with the presence of the grated chamber at the culverted Brueacre Burn. The site is identified as being at "medium" risk of coastal flooding. The site is also identified as being at "high" risk of surface water flooding because of the extent of largely undrained hardstanding and elevational differences within the site.

The Scottish Environment Protection Agency (SEPA) has been consulted and has raised no objections in terms of flood risk. SEPA indicates the FRA identifies that a large proportion of the site is currently at flood risk from the Brueacre Burn and this is a result of historic modifications that were required to support the operational requirements of the power station. The watercourse has been significantly modified and SEPA considers that the development represents an opportunity to provide betterment. The FRA outlines plans to daylight the culvert and appropriately design and size a new channel to convey for the Brueacre Burn. The FRA indicates the channel will be sized to convey the 200-year flow plus a 55% climate change allowance and 600mm freeboard. A riparian corridor will also be created on both sides of the channel. SEPA has indicated they require a planning condition be imposed to ensure that the new channel is sized in accordance with the FRA.

The FRA recommends that a developable level of 5m Above Ordnance Datum be established and the Finished Floor Levels (FFL) of properties will be set 600mm above this level (ie 5.6m AOD). SEPA has again indicated they require a planning condition be imposed to ensure that this development level and minimum FFL are adopted.

As these ground and floor levels are recommended in the FRA the requirement by SEPA to have these addressed by planning conditions is considered acceptable and appropriate for the proposed development.

The Head of Service – Roads and Transportation has advised the FRA is acceptable in principle however detailed drawings will have to be submitted for approval at the detailed planning stage to ensure the recommendations contained within the FRA have been addressed. It is considered appropriate for this to be considered in greater detail when detailed planning applications are submitted.

In terms of Policy 9 of the adopted LDP and Policy 10 of the proposed LDP the development is expected to have a Sustainable Drainage System (SUDS) in order to manage the surface water run-off from the site. The provision of SUDS for residential development and a development of this size is a legal requirement and is particularly important where hard surfaces are to be introduced in the form of access roads, driveways and roofs. The SUDS manages the rate of run-off from the site at a controlled rate. The Head of Service - Roads and Transportation recommends a condition for the details of the surface water drainage design and strategy to be submitted for approval showing that the surface water flow from the site is limited to that of the current green field (i.e. pre-development)

run-off rate. This can be addressed by a planning condition should planning permission in principle be approved.

SEPA has indicated that whilst it has been confirmed that SUDS will be in line with The SUDS Manual (CIRIA C753) few details have been provided within the Drainage Strategy Report. SEPA acknowledge that this is because the detailed site design is yet to be confirmed. When detailed planning permission is sought the applicant will need to demonstrate that adequate space is set aside for SUDS as well as compliance with Council, SEPA and Scottish Water guidance.

SEPA recommends that the SUDS are fully integrated into the overall amenity value of the development, rather than fenced off and isolated from the rest of the development.

The intended drainage strategy accords in principle with Policy 9 of the adopted LDP and Policy 10 of the proposed LDP. If planning permission in principle is granted the specific details of the proposed SUDS will require to be applied for with any detailed application(s) and this can be addressed by a planning condition.

Whilst I am mindful of concerns raised over possible pollution of the coastline I am satisfied that appropriate control may be afforded by conditions.

### *Transport and Connectivity*

Policy 10 of the adopted LDP and Policy 11 of the proposed LDP promote sustainable and active travel with development proposals being required to provide safe and convenient opportunities for walking and cycling access within the site and where practicable to include links to the wider walking and cycling network. The illustrative Masterplan indicates various routes within and through the site including along the coastal boundary of the site and through the woodland areas. The illustrative Masterplan also identifies connections for pedestrians and cyclists onto the A78 at the north and south of the site. The principle of including these routes in the development accords in general terms with Policy 10 of the adopted LDP and Policy 11 of the proposed LDP. The specific details of these routes will be assessed in greater detail when detailed applications are submitted for consideration.

Policy 10 of the adopted LDP and Policy 11 of the proposed LDP also require electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance. One trickle charging point per dwelling would be required and 20% of available parking spaces fitted with trickle charging points for flats/apartments. Commercial developments require 5% of available parking spaces fitted with trickle charging points. For other types of development 3% of available parking spaces are required to be fitted with trickle charging points and 2% of available parking spaces fitted with fast charging points. Should planning permission in principle be granted the requirement to provide the charging points can be addressed by a planning condition with the specific details of these and their locations to be assessed in any future detailed planning applications.

Policy 11 of the adopted LDP and Policy 12 of the proposed LDP relate to managing the impact of development on the transport network. Transport Scotland has been consulted on the application and has no objections in terms of the impact of the development on the trunk road network. Transport Scotland has recommended conditions that relate to roads infrastructure having to be constructed/completed at various stages of the construction/occupation of parts of the development.

The submitted Transport Assessment identifies additional trips to the nearby railway stations as a result of the proposed development. The Head of Service - Roads and Transportation advises there is limited land available to expand parking at the stations. Discussions have taken place with the applicant regarding how the impact on parking can be addressed and the applicant has suggested a shuttle bus is provided. The Head of Service - Roads and Transportation has indicated this is acceptable and the shuttle bus is to be provided until a public service is made available to take people from the development to Lochans Drive in order to prevent overcrowding in the station car park and promote sustainable travel.



With the inclusion of the conditions recommended by Transport Scotland and the Head of Service – Roads and Transportation it is considered the proposal accords in principle with Policy 11 of the adopted LDP and Policy 12 of the proposed LDP. In reaching this conclusion I am mindful that a considerable number of the submitted objections relate to various concerns over road capacity, the potential for accidents, congestion, signalization, walkways, parking at railway stations and other aspects of road infrastructure. I nevertheless find no overriding concerns from either Transport Scotland or the Head of Service - Roads and Transportation, nor have I identified issues which cannot be addressed by condition.

#### *Air quality*

Policy 12 of the adopted LDP and Policy 13 of the proposed LDP refer to the impact on air quality. Both policies indicate that development that could have a detrimental impact on air quality, or would introduce a sensitive receptor to an area with poor air quality, will be required to be accompanied by an Air Quality Assessment, which identifies the likely impacts and sets out how these will be mitigated to an acceptable level. An Air Quality Impact Assessment has been submitted with the application and the Head of Public Protection and Covid Recovery has no comments to make in terms of the impact on air quality. Although I note objections in this regard I am content to rest on the opinion of the Head of Public Protection and Covid Recovery.

#### *Ground conditions, contamination and remediation measures*

Policy 16 of the adopted Local Development Plan indicates 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 set out a programme of remediation or mitigation measures that ensure that the site can be made suitable for the proposed use. Policy 17 of the proposed Local Development Plan indicates in principle support for proposals to bring brownfield sites in the urban area into beneficial use. Policy 17 also requires a site investigation report to be submitted.

A Preliminary Environmental Risk Assessment for ground contamination has also been submitted and recommends an intrusive targeted site investigation should be undertaken to further develop the conceptual site model and better understand existing ground conditions including the soil and rock characteristics; the extent of potential contamination within the soils and groundwater and the requirement for future remediation of soils and/or groundwater.

The Head of Public Protection and Covid Recovery has no objections to this application and has recommended conditions, particularly for an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme, to be submitted for further approval. The recommended conditions can be addressed as conditions and/or advisory notes should planning permission in principle be granted. The redevelopment of this previously developed/brownfield site therefore accords in principle with Policy 16 of the adopted LDP and Policy 17 of the proposed LDP.

#### *Impact on the Existing Network of Centres/Socio-economic Benefits*

Policy 22 of the adopted Local Development Plan and Policy 23 of the proposed Local Development Plan identify town and local centres as being the preferred locations for a range of retail and commercial uses. The application site is identified as a Local Centre in Schedule 7 of the adopted LDP and as a New Local Centre in Schedule 6 of the proposed LDP. Both Schedules indicate that new retail development should not exceed 1,000 square metres in local centres as well as being the preferred location for a range of other commercial uses.

The proposed development includes retail/commercial/employment uses in the intended neighbourhood centre. These uses are recognised and identified in the development strategy for this Priority Place and would not be considered as being contrary to either Policy 22 or Policy 23.

Commercial Demand Reports from October 2018 and October 2020 have been submitted which relates to the anticipated demand for commercial space at the site and to provide a view on the likely viability of a commercial centre providing space for industrial, office and retail sectors within an overall development site. The reports conclude residential development of the proposed scale is likely to create a viable opportunity for a commercial neighbourhood development to include both convenience and support retail. It is envisaged there will be demand for a small convenience food store with a parade of 2 to 3 shop units to include a dental practice, additional retail and perhaps another pharmacy although the existing pharmacy may be too close. A neighbourhood development of this nature will be dependent upon the delivery (or commitment) of the housing units and will likely have a phasing towards the middle or end of the development.

The reports acknowledge small neighbourhood developments within residential projects are not always successful and there is the risk that residents working in Glasgow may shop at the Port Glasgow Retail Park when returning from work in the evening. The range of shops and the extensive parking make this highly likely for parties travelling through Port Glasgow as part of the daily commute. Covid-19 is changing retail patterns and there has been more life within neighbourhood developments. If a greater proportion of the population work from home in the longer term, then it is reasonable to assume this trend will be sustained and may gain further momentum. Neighbourhood retail offers the strongest prospects for commercial development at this site but not at the outset of the project and occupier interest will increase as the development progresses. The reports also conclude it is highly unlikely there will be sufficient demand to warrant industrial development and no prospects whatsoever for the development of office space. Both could be brought forward with public sector subsidy but it is not envisaged either would ever be fully occupied.

Although the final end uses are not known at this stage the applicant estimates the development could support 100 on-site Full Time Equivalent jobs in the neighbourhood centre, community, leisure and small-scale business space. The inclusion of the commercial/neighbourhood centre is an important component of the proposed development in order to allow the opportunity for facilities to be provided for new residents. Any employment generated by the proposed commercial uses at the site is welcomed. It is acknowledged that the commercial development is likely to occur later in the development when there is a sufficient number of new residents to support these uses. The intended size of the retail floor space has not been given at this stage which is understandable for an application for planning permission in principle. If planning permission is granted a planning condition can be used to restrict the retail floor space in the commercial/neighbourhood centre to no more than 1,000 square metres to accord with Schedule 7 of the adopted LDP and Schedule 6 of the proposed LDP.

Policy 22 of the proposed Local Development Plan supports community facilities in appropriate locations 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. The illustrative Masterplan identifies two separate community facilities and these will be accessible by walking and cycling from within the site by new residents. The community boating facility will be accessible by a range of transport modes from outwith the site. The provision of community facilities in the proposed development accords in general terms with this policy.

There will be economic benefits arising from a development of this scale and this would be considerable. The proposed development would also make a significant contribution to the repopulation aim which is set out in the proposed Local Development Plan as key priority of the Inverclyde Outcomes Improvement Plan. The proposal also has the potential to meet local housing market need by increasing the housing supply and options. The proposal would also have a significant positive benefit by developing a derelict brownfield site.

### *Landscape*

Policy 33 of both the adopted and proposed Local Development Plans relate to biodiversity and geodiversity. There are no specific natural heritage designations at this site and both policies indicate that for non-designated sites 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.

The illustrative Masterplan indicates open spaces, linear parks and the opening up of the Brueacre Burn and this presents the opportunity to conserve where appropriate and to enhance biodiversity throughout the site. The details of the planting, landscaping, open spaces, etc will be considered in greater detail when detailed applications are submitted. The principle of the development at the site is however considered to accord with the terms of Policy 33 of both the adopted and proposed Local Development Plans.

Policy 34 of the adopted Local Development Plan and Policy 35 of the proposed Local Development Plan presume against the removal of trees that have amenity, historical, or landscape value. The Wemyss Plantation Tree Preservation Order (IC23) covers an area of approximately 6.43 hectares at the south-west part of the site. This area is generally elevated above and located to the south and south-west of where large tanks had been located on site. This is an area of mixed woodland comprising Scots Pine, Birch, Spruce, Sycamore, Ash and Beech. None of the other woodland areas at the site are covered by a Tree Preservation Order.

Ancient woodland is located at the south-west part of the site outwith the Wemyss Plantation Tree Preservation Order as well as in an area towards the south-east part of the site.

The Wemyss Plantation Tree Preservation Order (TPO) is identified on the illustrative masterplan to be retained in full with path/cycle routes through the woodland to provide public access. The formation of these routes would not be considered to have a significant impact on the integrity of the TPO. The exact routes through this woodland area would be considered in greater detail in any subsequent applications and if any trees are required to be removed this can also be considered at that time. It will be expected that any tree removal is justified through the submission of a tree condition survey. It is not unusual for extensive areas of woodland such as this to suffer from lack of maintenance and the opening up of the access routes can in turn allow for maintenance to occur in the future.



View from elevated position in interior of site looking north

There is to be the removal of approximately 6.3 hectares of the woodland outside of the TPO and Ancient Woodland boundary along the south-east boundary of the site as part of groundworks and remodeling of an earth bund in this area. The applicant has indicated that areas where the better quality trees are located are to be retained as much as possible. Approximately 1 hectare of woodland would be removed at the north-east of the site to allow the new access road from the new roundabout.

Although trees are indicated to be removed this has to be viewed in the context of the overall size of the site and the extent of the areas where the trees are to be removed. The designation of part of the site as a TPO does not preclude development, rather the impact of removal of trees has to be considered. The loss of the trees from these areas will be compensated for with new planting in other parts of the site and the specific details of any proposed tree removal will be considered when detailed applications are submitted. The new tree planting can contribute to placemaking at this site. The indicated tree removal is considered to be acceptable at this stage.

Policy 35 of the adopted Local Development Plan indicates that proposals for new or enhanced open spaces, which are appropriate in terms of location, design and accessibility, will be supported. The illustrative Masterplan indicates open spaces, linear parks, equipped play areas, and a boating facility in the proposed development. The provision of these accords in general terms with this policy.

Policy 36 of the adopted Local Development Plan and Policy 37 of the proposed Local Development Plan support Green Infrastructure in new development. The illustrative Masterplan indicates green infrastructure in the form of open space, access routes, linear parks, etc, in and through the proposed development. The provision of the indicative green infrastructure in the proposed development accords in general terms with this policy.

Policy 38 of the adopted Local Development Plan and Policy 36 of the proposed Local Development Plan relates to the impact of development on the path network and both policies indicate that development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made. There are no core paths, rights of way or other important access routes in the application site given its former use as a power station. There is one core path, No.14 Wemyss Bay Primary to Shorefront, which lies to the south of the proposed development site. The proposed development does not result in the loss of existing core paths, rights of way or other important access routes and therefore has no implications for these policies in this regard.

Policy 38 of the adopted Local Development Plan and Policy 36 of the proposed Local Development Plan also state that development proposals will be required to provide new paths to encourage active travel and connectivity. This is reinforced by the Supplementary Guidance on Priority Places that requires good access links to the adjacent settlements of Wemyss Bay and Inverkip and an extension of the coastal access route through the site by way of a new promenade. The illustrative Masterplan indicates various routes within and through the site including along the coastal boundary of the site and through the woodland areas. The illustrative Masterplan also identifies connections for pedestrians and cyclists onto the A78 at the north and south of the site. The principle of including these routes in the development accords in general terms with Policy 38 of the adopted Local Development Plan and Policy 36 of the proposed Local Development Plan and would provide a means of creating a link to Wemyss Bay from the paths networks created within the development site. The specific details of these routes will be assessed in greater detail when detailed applications are submitted for consideration.

I am mindful that several objectors have raised points in respect landscape impact, including loss of trees, buffer areas and restrictive tree planting but none of these submissions convince me that refusal of permission would be justified on these matters.

### *Water Environment*

Policy 39 of both the adopted and proposed Local Development Plans indicate that development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment through a number of measures such as removing existing culverts and providing buffer areas between development and watercourses. SEPA considers the de-culverting of the Brueacre Burn will have a positive impact on the water environment and welcome the proposal to create a landscaped burn with naturalised, high quality riparian habitat edges. This will increase the biodiversity value of the site and provide blue/green infrastructure for the site. The points made by SEPA are agreed with.

## Additional/New Policies in the Proposed Local Development Plan

The following are new policies in the proposed Local Development Plan that did not have an equivalent policy in the adopted Local Development Plan.

Policy 8 relates to Climate Change Adaptation and indicates that where required by planning guidance, Major Developments are to be accompanied by a Climate Risk and Vulnerability Assessment. Climate Change Adaptation involves making alterations to land, buildings, infrastructure (e.g. roads, railways and utility networks) and other aspects of society so they can cope with the types of weather expected as a result of climate change. It is however not certain how climate change will impact different places and one aspect of climate change is that it is likely to make weather more unpredictable. Action on climate change adaptation will differ from place to place depending on the expected impacts of climate change and Inverclyde could be affected by flooding as a result of increased rainfall and sea-level rise.

A Climate Risk and Vulnerability Assessment has not been submitted with this application however the EIA considers a number of issues that are relevant to climate change adaptation. These will be considered elsewhere in this assessment however the applicant considers the proposed development will deliver significant beneficial effects of a moderate scale on hydrology and hydrogeology in terms of: reduced fluvial flood risk due to de-culverting and naturalising of Blueacre Burn; reduced coastal flood risk by raising the levels of the site above flood level with additional climate change allowances; and reduced pluvial (surface water) flood risk due to new drainage systems with SUDs and embedded design mitigation.

The applicant also considers that subject to the committed mitigation measures, including in some cases further assessment to support future detailed planning applications, no residual significant adverse effects are predicted for the construction or operation periods with regard to: Traffic and Transport; Ecology; Air Quality; Noise and Vibration; Hydrology and Hydrogeology; and Geology and Soils. It is the applicant's opinion the proposed development accords with the intention to ensure that new development takes into consideration climate change risk factors.

Policy 21 relates to the requirement to provide wheelchair accessible housing on new build development sites of 20 or more units. The terms of this policy apply to the proposed development and the requirement for 5% wheelchair accessible housing can be addressed by a planning condition if this application is approved. Thereafter the details of the wheelchair accessible housing will be considered further when detailed applications are submitted in the future.

Policy 34 relates to the siting and design of development taking account of local landscape character and setting in order to conserve, enhance and/or restore landscape character and distinctiveness. Although the proposed development is large the impact on the landscape is not considered to be significant because of it being located at a lower level than the A78, the intervening woodland screening views and the main areas of development within the site are located away from general public view. The development is likely to be most evident in close proximity to the site and when viewed from the Firth of Clyde. There are aspects of the proposed illustrative masterplan that would be considered to conserve the features that contribute to local distinctiveness such as: retaining as much of the pattern of woodland around the perimeter of the site; through opening up the Brueacre Burn to create a landscape feature within the site; through the creation of the linear/coastal park along the west side of the site which can act as a backdrop to and facilitate views of the panorama of the Firth of Clyde.

## **Environmental Impact Assessment**

Notwithstanding the above consideration of key issues and the associated policies, it is necessary to give a more detailed consideration of the range of matters addressed by the Environmental Impact Assessment. The following is an assessment of the topics/subject matter in the EIA. It should be

noted the Environmental Impact Assessment has been reviewed by an independent consultant on behalf of the Council.

### Traffic and transport

An assessment of the likely effects from the proposed development on traffic, transport and access has been undertaken by the applicant. The assessment builds upon a Transport Assessment which contains a more detailed analysis of predicted changes in traffic flows and travel patterns resulting from the proposed development. The assessment identifies and examines the sensitivity of receptors which comprise the users of key links within the local road network surrounding the site and concludes the construction phase of the proposed development is not likely to result in any significant effects on identified receptors.

To identify likely operational traffic effects from the proposed development on the identified receptors, consideration was given to the predicted percentage change in traffic flows on selected links within the local road network. Other factors including the existing level of base flows and whether the proposed development would have any road safety implications were also taken account of in order to determine the level, and thus EIA significance, of likely operational phase effects.

The assessment concludes that the predicted increases in traffic on the A78 at Inverkip and the Brueacre Northbound on-slip, generated by the proposed development, are significant in EIA terms. Remedial measures are proposed to reduce the adverse effects and remove the residual EIA significance and these are to be a signalised junction on the A78 at Main Street North and Kip Marina and a new site access roundabout on the A78.

The supporting Transport Assessment includes a Sustainable Transport Framework intended to encourage sustainable travel movements by residents of the site and visitors. This includes the provision of an active travel route through the site and an internal road network providing a route for existing, or new, bus services which are easily accessible from all parts of the site.

As indicated elsewhere in this assessment both Transport Scotland and the Head of Service - Roads and Transportation have not objected to the proposal in terms of its impact on the roads network.

### Ecology

An ecological assessment to consider the significance of effects on land and water species, habitats and ecosystems has been carried out. A site survey and review of available information as undertaken to understand what animals and habitats are currently present on the site and immediate surrounding area has also been carried out. The habitats that could be affected are the Wemyss Bay Plantation Local Nature Conservation Site and ancient woodland. The species that could be potentially adversely affected include common amphibians, badger, bats, birds, otter, reptile and hedgehog.

Through the implementation of working buffers, pre-construction surveys, landscaping and mitigation the applicant considers there would be no significant negative effects on ecology on the site or surrounding area. The applicant also considers there would be a beneficial effect on running water habitat, fish and otter within the site particularly through the removal of the culvert and sump building.

In order to address best working practices a Construction Environmental Management Plan would be implemented for the construction of the development together with a Woodland Management Plan. An ecologist would be appointed to advise during construction and ensure that mitigation measures are applied appropriately. Ecological planting and habitat creation are proposed to mitigate potential effects and improve biodiversity of the site in the long term.

The applicant considers that based upon the implementation of the mitigation during construction and operation of the development there will be no long term residual significant adverse effects on biodiversity, with potential long term improvement in local biodiversity.

NatureScot in its consultation response has indicated that they are content with the conclusion that, based upon the implementation of the mitigation during the construction and operational phases, it is considered that there will be no long-term significant adverse effects upon biodiversity, with potential long-term improvement to local biodiversity.

I am mindful that several objectors raised issues related to ecology but I consider the ecological assessment has addressed these issues in a satisfactory manner.

### Air quality

An Air Quality Assessment has been undertaken to demonstrate compliance with air quality objectives as set out in the National Air Quality Strategy. Detailed dispersion modelling was undertaken to predict the concentrations of Nitrogen Dioxide and Particulate Material due to emissions from road traffic in conjunction with existing background concentrations, at existing sensitive human and ecological receptor locations within the study area. No exceedances of the Air Quality Standards for Nitrogen Dioxide and Particulate Material (human receptors) are predicted at any of the sensitive receptors within the study area as a result of the proposed development. The change in Nitrogen Dioxide and Particulate Material (human receptors) annual mean concentrations is predicted to result in negligible impacts at all human receptors within the study area as a result of the proposed development.

The significance of effects associated with operational phase emissions upon local air quality of the proposed development is assessed by the applicant as negligible and therefore not significant. The good-practice mitigation measures and site-specific mitigation measures to be adopted to minimise identified risks are such that the residual impact of dust is negligible to low. Good practice and site specific mitigation measures will be included in a Construction Environmental Management Plan to be submitted for approval prior to the commencement of any works.

SEPA has indicated the Air Quality Assessment uses industry standard modelling which is validated against an existing roadside nitrogen dioxide diffusion tube on the A78 at Wemyss Bay to increase confidence in the modelled outputs. It predicts negligible impact and no exceedances of the National Air Quality Objective levels for nitrogen dioxide and particulates. SEPA goes on to indicate that although the site is not within an Air Quality Management Area the proposed development has the potential to generate traffic and affect traffic density and flow at peak traffic times and, therefore impact upon local air quality. Once detailed planning permission is sought Inverclyde Council will need to be satisfied any subsequent impact on the surrounding road network, and in particular the cumulative impact of this development, does not have the potential to lead to any future air quality issues.

The Head of Public Protection and Covid Recovery has no comments to make on air quality.

### Noise

The potential noise and vibration effects have been assessed as well as the suitability of the site for the proposed use. Noise modelling has been undertaken to predict noise levels during construction and operation of the proposed development at existing and proposed sensitive receptor locations.

The study area for the assessment of construction noise extends to approximately 100m from the site boundary. It is indicated that site clearance, preparation and levelling activities during these stages are likely to generate the highest noise levels as they require the largest numbers of heavy plant items. However the assessment concludes that there are to be no significant noise impacts during the construction of the development. Mitigation of any effects is intended to be through good site practice measures to be adopted during construction and is to be included in a Construction Environmental Management Plan.

During operation of the development the impact from traffic has been considered and for existing nearby properties is not considered to be significant. There are potential significant adverse effects for the proposed development at the eastern boundary of the site and closest to the A78 with regard to internal (habitable rooms) and external (gardens) noise levels during the daytime. As this is an application for planning permission in principle the exact internal layout of buildings and garden spaces is not yet known. Mitigation of noise is intended to be identified at the detailed design stage that could involve closed-window attenuation with appropriate ventilation and/or having habitable rooms away from exposed facades where there is elevated noise levels. Buildings and barriers could also provide screening and mitigation of noise into the interior of the site.

Head of Public Protection and Covid Recovery has no objections relating to noise and has recommended conditions: for the applicant/main contractor to consult with him prior to the commencement of works to agree times and methods to minimise noise disruption from the site; and that the sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations. The hours of works can be addressed by an advisory note and issues in respect of sound insulation complying with the building regulations would be for the building warrant process. This should help address objections in this regard.

### Hydrology and hydrogeology

A Flood Risk Assessment (FRA) and a Drainage Strategy report accompany the application. The FRA confirmed that there was “little to no” risk of flooding from canal sources and “low” risk of flooding from groundwater, infrastructure and artificial sources. A detailed flood model of the Brueacre Burn confirmed that the existing site is considered to be at “high” risk of fluvial flooding associated with the grated chamber on the culverted watercourse. The existing site is considered to be at “medium” risk of coastal flooding. Given the nature of the existing site, including vast extents of largely undrained hardstanding and significant elevational differences, existing surface water flood risk is considered to be “high”.

With regards to surface water quality, the Firth of Clyde is currently classified as “Good” based on water physical condition, water quality and freedom from invasive species. Although no information is provided for the Brueacre Burn, the applicant has assumed the overall surface water quality is “Poor” as it passes through the Site, based on the current physical condition of the culverted watercourse. Groundwater quality is currently considered by the applicant to be “good” within the vicinity of the site.

During the construction phase, and in the absence of appropriate mitigation measures, it has been indicated by the applicant that there is potential for existing flood risk to increase within the site boundary as well as the potential for current surface water and groundwater quality to reduce. In order to mitigate against these risks, strategic phasing of the proposed development is to be implemented to ensure the platform level is raised to the minimum design flood level during the early stages of the construction period. Temporary drainage systems will also be installed to treat and control construction run-off prior to discharge to the water environment. Temporary de-watering of excavations will also be incorporated should groundwater be encountered during the construction phase of the development.

A Construction Environmental Management Plan (CEMP) will be implemented prior to the commencement of works and will include measures to avoid storage of construction materials within risk areas and include the provision of an emergency evacuation plan with safe access and egress routes identified, in addition to a continual monitoring programme. The CEMP will also include measures to mitigate against the risk of pollution of soils, surface waters and groundwater, such as safe storage of potentially polluting and hazardous materials, containment of spoil, provision of spill kits and contingency plans in the unlikely event that spillage occurs. With regards to existing public drainage infrastructure, the CEMP will set out measures to ensure protection of these.

As part of the construction works, the existing sea inlet and associated open grating will be plugged/removed and the existing sea wall will be maintained at 5.5m Above Ordnance Datum (AOD)



along the full extent of the western boundary of the site. The minimum platform level will be raised to 5m AOD and Finished Floor Levels will be set to a minimum of 5.6m AOD, therefore providing a minimum of 600mm freeboard above the design flood level. The proposals also include a 20m buffer from the sea wall to the adjacent development plots, further reducing coastal flood risk post-development. Additional drainage measures will also be incorporated along the western perimeter to ensure that any overtopping as a result of extreme wave action can be captured and conveyed away from properties.



View of path adjacent to and former storage tanks looking north-east with existing woodland at south side of site

The applicant considers the removal of the culvert from the Brueacre Burn will remove the existing fluvial flood risk. The new open-channel watercourse is to provide enough capacity for flood waters resulting in betterment over existing conditions. Additional measures will also be incorporated to intercept, treat and attenuate surface water flows prior to discharge, therefore providing betterment over existing conditions and reducing flood risk to “low” within the boundary of the site. An inspection and maintenance regime will also be implemented to ensure the on-site drainage infrastructure continues to operate as designed throughout the construction and operational phases of the development. These measures are to be incorporated as part of the drainage strategy for the site.

With regards to existing public drainage infrastructure, Scottish Water advised the applicant that a strategic Drainage Impact Assessment (‘DIA’) is currently being undertaken for the area, which now includes results that are expected imminently. The conclusions of the strategic DIA will identify if (and where) any upgrades are required within the existing combined sewer network to accommodate the proposed development. Where upgrades are required to enable the proposed development, these are to be undertaken during the construction phase and the impact on the capacity of existing drainage infrastructure is considered by the applicant to be negligible.

The applicant considers that upon completion and throughout the operational phase of the development, any residual effects from existing sources of flood risk and potential sources of pollution will be negligible or beneficial over existing conditions and therefore not significant.

SEPA has indicated that when detailed planning permission is sought the applicant will need to systematically identify all aspects of site work that might impact upon the environment, potential pollution risks associated with the proposals and identify the principles of preventative measures and mitigation. This is normally done as part of the EIA process however in this instance planning permission in principle is being sought rather than detailed planning permission. SEPA acknowledges that until the detailed site design is confirmed it is not possible to submit a CEMP

however this will need to clearly reference the schedule of mitigation and demonstrate that the development proposal adheres to the mitigation measures set out in the EIA.

### Geology and soils

A desk-based assessment has been carried out which has been informed by historical maps, geology, hydrogeology, ground stability and mining, licenses and consents, waste sites, and industrial land uses as well as previous contaminated land investigations undertaken pre- and post-demolition of the power station.

There are natural geological deposits at the site as well as engineering infill of voids where the former power station's buildings had been located. The power station foundations are likely to remain in-situ. Groundwater has been identified as being present and the aquifer in superficial deposits is classified as low to moderately productive. The bedrock is classified as a moderately productive aquifer. Potential surface water receptors to contamination include the Brueacre Burn and the Firth of Clyde. Groundwater is likely to flow west towards the Firth of Clyde.

Chemical analysis of soils, groundwater, surface water chemical analysis, and ground gas and vapour monitoring was undertaken as part of previous ground investigations. Elevated concentrations of hydrocarbons and metals have been reported in shallow soils. Asbestos fibres have also been reported in samples of made up ground. Previous groundwater chemical analysis and previous groundwater monitoring indicates shallow groundwater is likely to contain locally elevated concentrations of metals, hydrocarbons and semi-volatile organic compounds. Elevated concentrations of hydrocarbons and metals have also been reported in water samples collected from surface water outfall, the Brueacre Burn and the Firth of Clyde.

The made up ground encountered during previous ground investigations does not indicate a significant volume of ground gas is likely to be generated however ground gas monitoring recorded residual elevated concentrations of methane and carbon dioxide. The applicant has indicated a ground investigation will be undertaken in advance of construction works to further develop the model detailed in the desk-study and provide a better understanding of existing ground conditions including the soil and rock characteristics, the extent of potential contamination within the soils and groundwater as well as the requirement for future remediation of soils and/or groundwater. A remediation strategy will be prepared based on the findings of the investigation and will detail the measures to be implemented to break potential contaminant pathways to human health, the water environment, below ground infrastructure and ecological systems.

During the construction phase, potential receptors of any ground contamination include construction workers, off-site residents and users of the water environment. The applicant has indicated these risks could be managed including by the implementation of a Construction Environmental Management Plan, adherence to any mitigation and remedial as well as use of appropriate design for the ground conditions.

The potential receptors of risk from ground contamination for when the development is complete are site users, the water environment, on-site structures and services as well as vegetation in future areas of soft landscaping. The applicant considers the implementation of appropriate remediation measures will mitigate these risks. Remediation measures will likely include clean capping layers to soft landscaping; ground gas and vapour protection measures will be incorporated into building foundations; new foundations and drinking water supply pipes will be designed to withstand residual ground conditions. Should piled foundations be proposed, a Foundation Works Risk Assessment will be prepared to assess risks to groundwater and identify an appropriate piling technique to mitigate such risks.

The applicant has indicated that should ground investigation identify soils and/or groundwater remediation is required, potential sources of contamination will be removed and/or contaminant concentrations reduced depending on the selected approach to remediation. Where necessary, contaminant linkages will be broken by removal of pathways.

The applicant considers that upon completion of the development, any residual effects from ground contamination will be negligible and not significant.

SEPA notes that elevated concentrations of contaminants are reported in the made ground and groundwater and this is not unexpected given the previous use of the site. SEPA notes that further monitoring rounds will be undertaken when the site is developed. This should inform the detailed site design and the presence of contaminants could have ramifications for the location of SUDS. SEPA also indicates that Inverclyde Council is the lead authority responsible for land contamination and they are responsible for ensuring any remediation that is required is undertaken before any development takes place on site.

Given the previous development on this site it is not unexpected that there will be contamination. As this is an application for planning permission in principle it is expected that further site investigation will be carried to identify the where any contamination is located and how it is to be remediated.

The Head of Public Protection and Covid Recovery has no objections to the redevelopment of this site and conditions have been recommended that will require further investigations to be carried out at the detailed planning application stage.

### Landscape and visual

A Landscape and Visual Impact Assessment (LVIA) of the proposed development on the landscape resources and visual amenity within a 2km radius from the centre of the site has been carried out as well on potential views within a 5km radius from the centre of the site. The LVIA considers the potential impacts in terms of direct impacts on key landscape components, landscape features and views from existing residential properties, those working in the landscape, visitors, roads and public recreation areas as well as river users of the Firth of Clyde. It considers the extent to which the proposed development would influence the perception of the visual enjoyment of the landscape and seascape and the wider character of the area.

10 representative viewpoints were assessed, 5 of which are in close proximity to the site. From further away viewpoints have been taken from Ardoch Hill and Lang Hill. Viewpoints from the west are further way and include those taken on the Firth of Clyde as well as from Innellan on the Cowal Peninsula. Of the 10 viewpoints no significant adverse effects are predicted for the majority of them and the magnitude of change is small or negligible. The largest magnitude of change is from a jetty at the east side of the site and the impact is predicted to be significant however this is immediately adjacent to the site and the extent of the change from this viewpoint is agreed with.

The significance of the visual impact is as a result of the change to a residential led mixed use development and this change will be most evident in close proximity to the site. It should be noted that the presence of the former power station was most evident because of the tall chimney that was in the site. This was a visually prominent feature that drew attention to the site from further afield. However since the power station buildings were demolished the presence of the site on the landscape is reduced. The existing woodland assists in screening the site from general public view on the approaches to the site along the A78 and from existing residential properties.

The main areas to be developed are within the site and the intention is for the development to recede into the woodland context. Any taller buildings are intended to be positioned in the centre of the site with building heights stepped down towards the coast and along the site boundaries. The proposed development is considered to be most evident in close proximity to the site and the new roundabout and changes to the Blueacre Junction will announce the presence of the development to anyone travelling along the A78 and in close proximity to the site.

It is acknowledged that the development will result in a visual change at this location. The visual change was anticipated through the identification of the site as a Priority Place in the adopted and proposed LDP. However the overall visual impact is not considered to be significant in environmental

terms. Although this is a large site it is generally self-contained and the nature of the visual impact is lessened by where the main development areas are to be within the site. Parts of the site and the eventual development, including the new roundabout, will be visible depending on the position of the viewer however this impact is considered to be localised.

### Overall EIA conclusion

The EIA considers alternatives and design evolution and in this instance the proposal is considered acceptable as it would result in the redevelopment of a large, vacant brownfield site adjacent to the existing settlement. It is also considered that no alternative sites require to be considered.

The applicant considers the proposed development will deliver significant beneficial effects of a moderate scale on Hydrology and Hydrogeology in terms of: reduced fluvial flood risk due to de-culverting and naturalising of the Brueacre Burn; reduced coastal flood risk by raising the levels of the site above flood level with additional climate change allowances; and reduced surface water flood risk due to new drainage systems with SUDS and embedded design mitigation.

Subject to the mitigation measures, including in some cases further assessment to support future detailed planning applications, no residual significant adverse effects are predicted for the construction or operation periods with regard to: Traffic and Transport; Ecology; Air Quality; Noise and Vibration; Hydrology and Hydrogeology; and Geology and Soils.

The applicant considers there will be some limited residual significant effects associated with Landscape and Visual Impact following mitigation. This relates to a moderate to major adverse and significant effect in EIA terms on the woodland belt within the site, a receptor, during the construction phase. However, this is temporary and will be addressed through the operation of the site, through good design and compensatory landscape proposals.

The only other significant residual effects relate to the operational phase in terms of where visual receptors are located either in close proximity to the site or further away although these are considered to be neutral and not adverse. Given the scale of development such changes and associated significance of effects would be predicted as the area will undergo a significant transformation.

As with any development of this size and involving a brownfield site there will be impacts that are more significant than others. Significant impacts are most likely to occur during the construction phases of the development and through the implementation of mitigation measures the impact of these are considered to address these.

None of the consultees have raised any objections to the proposed development or the environmental impacts with conditions being recommended.

### Other material considerations

Whilst most comments and objections have been addressed in the above assessment there are a range of miscellaneous comments which still require to be addressed.

With regard to alternative uses for the site or land availability elsewhere, the Council has to consider and determination the application which has been submitted. Comments in respect of security, vandalism and other anti-social behaviour are speculative and are not justifiable grounds for refusing planning permission in principle. There is no nearby conservation area which will be impacted. Phasing of development will help to ensure the provision of the non-residential elements of the proposal. It is not for the Council to stipulate who will make such provision. Whilst there are several objectors to the proposal none of these are objections which have carried across from the earlier application. The application has to be assessed as submitted. Furthermore, speculation over internet provision, motivations behind the proposal, the pricing of houses, who will secure the incoming jobs and the need for a police presence are all speculative points not meriting refusal of the proposal.

## Overall conclusion

The application site is identified as the Former Inverkip Power Station Priority Place and the principle of the redevelopment of this brownfield site for a mixed use development is supported by both the adopted and proposed LDPs. Overall, the indicative design approach for the development shown on the illustrative Masterplan is considered acceptable in principle and a development of a well-planned attractive nature with placemaking at the heart of the design can be achieved. The proposal is also considered to be sustainable development supported by Scottish Planning Policy. The proposal also presents no conflict with the Vision and Spatial Development Strategy set out in Clydeplan or the policy approach within Policies 1, 3, 4, 7, 8, 9, 12, 13, 16, 17 and 18. It also may be supported with regard to Policies 1 to 3, 5 to 12, 14, 16, 22, 33 to 36, 38 and 39 of the adopted Local Development Plan and Policies 1 to 3, 5 to 13, 17, 18, 21 to 23, 33 to 37 and 39 of the proposed Local Development Plan.

The development will result in significant inward investment and the redevelopment of a large brownfield site that has been identified as a Priority Place in both the adopted and proposed Local Development Plans. It will provide employment both during construction and on the completion of the development, it will provide new residential development which increases housing choice and contribute to a key Council key aim of repopulation.

The environmental impacts of the proposal are considered to be acceptable with some impacts requiring appropriate mitigation measures to be implemented.

With regard to the request from the applicant for a period of 15 years to submit subsequent applications rather than the normal 3 year period, the advice from the Scottish Government is relevant.

Planning permission in principle is permission granted subject to a condition (or conditions) that the development in question will not be begun until certain matters have been approved by the Planning Authority. Planning permission in principle will normally lapse unless development is begun within 2 years from the grant of the last such approval. Applications for approval required before development can be begun must normally be made within 3 years from the grant of planning permission in principle.

The Planning Authority can however direct that different time periods apply in relation to the 3 year period for making an application for approval. Directions can also specify different time periods for different parts of the development. Such directions can be made only at the point when planning permission is granted.

Planning Authorities will wish to give careful consideration as to the appropriate duration of a planning permission in principle and to the time limit for making applications for approval of matters specified in conditions. This will be the case particularly where the permission relates to development intended to take place in phases over a number of years. Examples might include large housing schemes, plot-by-plot housing schemes, business parks, or other similar development where the details of later phases are not yet known. All parties should seek to avoid a scenario where it only subsequently becomes clear after planning permission in principle has been granted that the timetable for making applications and implementing the development is unrealistic. In all cases, Planning Authorities will wish to allow reasonable flexibility for developers, whilst seeking to minimise uncertainty surrounding the implementation in practice of the permission. If the timetable is not considered carefully at the point of granting planning permission in principle, the result may be that a development cannot be implemented as originally envisaged, for example because the time period for submitting applications for approval may expire before such applications can realistically expect to be made.

The proposed development in this case is large in scale and is likely to involve a number of phases with different parts of the development being applied for as well as being delivered at different times

and over a number of years. It is therefore not considered unreasonable to direct a 15 year time period to submit applications for the approval of matters specified in conditions.

It is considered that Planning Permission in Principle should be granted subject to the conditions set out below.

## **RECOMMENDATION**

That planning permission in principle be granted subject to the following conditions:

1. Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations as directed under section 59(5) of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval.
2. Prior to the commencement of any works on site, further application(s) for the approval of matters specified by condition 1 shall be submitted to the Planning Authority in respect of the phasing for the entire application site including a detailed programme of works showing the relevant phases and timescales for the development of each phase, and the inter-relationship of the phases.

Thereafter, development shall proceed in accordance with the approved form unless otherwise approved by the Planning Authority.

3. As soon as possible after each of the phases of the development approved under condition 2 above is completed (except for the last or final phase, for which notice shall be given under section 27B(1) of the Town and Country Planning (Scotland) Act 1997) the person who has completed any phase shall give written notice of the completion of that phase to the Planning Authority.
4. Details of the proposed layout for each phase of the development are required to accord with condition 1 above. These shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, cycle routes, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas. The details shall allow for the following:
  - (i) parking (including garages if not less than 3.0 metres by 7.0 metres in size) to be provided in accordance with the National Guidelines of one parking space for a 1-bedroom house, 2 parking spaces for a 2- or 3-bedroom house, and 3 parking spaces for a 4-bedroom house;
  - (ii) visitor parking shall be at a standard of 0.25 space per house;
  - (iii) the minimum dimensions of driveways shall be 3 metres wide by 5.5 metres long for each vehicle, they should be paved for a minimum distance of 2.0m to prevent loose driveway material being spilled onto the road per and the driveway gradients shall not exceed 10%;
  - (iv) any visitor parking spaces shall be a minimum of 2.5 metres by 5.0 metres in size;
  - (v) the parking standards for the other potential uses in the development shall be provided in accordance with the National Roads Development Guide for cars, cycles, motor cycles and disabled users;
  - (vi) all roads within the site shall be a minimum of 5.5 metres wide;
  - (vii) all footways within the site shall be a minimum of 2.0 metres wide;
  - (viii) all roads shall have a gradient of 8% or less; and
  - (ix) the cycle routes shall include a 2m wide footway and 2m wide cycleway and shall link to the National Cycle Network.

5. Details are required to accord with condition 1 above in respect of the proposed local centre with village square, community facility and boating community facility as identified on the Illustrative Masterplan Drawing 03 Rev D as numbers 11, 13 and 14. The submitted details shall include the phasing of the works as well as the proposed floor plans and elevations of these buildings and facilities including dimensions and type and colour of all external materials. For the avoidance of doubt the proposed retail floor space in the local centre shall not exceed 1,000 square metres.
6. Details are required to accord with condition 1 above in respect of the proposed neighbourhood equipped play area with parking as identified on the Illustrative Masterplan Drawing 03 Rev D as number 12. The submitted details shall include:
  - a. details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
  - b. details of the surface treatment of the play area(s), including the location and type of safety surfaces to be installed;
  - c. details of fences to be erected around the play area(s);
  - d. details of the proposed parking;
  - e. details of the phasing of these works; and
  - f. details of the future maintenance of the play area(s).
7. The proposed floor plans and elevations of all buildings in each phase of the development are required to accord with condition 1 above, including dimensions and type and colour of all external materials.
8. Details are required to accord with condition 1 above of the type and colour of all hard surfacing materials for each phase of the development.
9. Details are required to accord with condition 1 above of the proposed ground levels for each phase of the development and proposed finished floor levels, in relation to a fixed datum point. The details shall include existing ground levels taken from the same fixed datum point.
10. Details are required to accord with condition 1 above in respect of the detailed landscape strategy for each phase of the development paying particular attention to the following:
  - a. a scheme of landscaping and open space provision, detailing all existing landscape features and vegetation to be retained as well as trees to be felled (to be accompanied by a tree condition survey);
  - b. the locations of new trees, shrubs, hedges, grassed areas and water features;
  - c. a schedule of trees and plants including species, plant sizes and proposed numbers and density;
  - d. the layout, design and materials of all hard landscaping works;
  - e. other structures such as street furniture and play equipment;
  - f. proposed levels;
  - g. the extent and distribution of public open space within the development;
  - h. details of the phasing of these works;
  - i. a detailed programme for the completion and subsequent maintenance of the proposed landscaping.

Thereafter development shall proceed in accordance with the approved form unless otherwise agreed by the Planning Authority.

11. Notwithstanding the terms of condition 10 above details are required to accord with condition 1 above in respect of the proposed linear park along the Firth of Clyde boundary as identified as number 24 on the illustrative Masterplan Drawing 03 Rev D. The submitted details shall include:

- a. the locations of new trees, shrubs, hedges, grassed areas and water features;
  - b. a schedule of trees and plants including species, plant sizes and proposed numbers and density;
  - c. the layout, design and materials of all hard landscaping works;
  - d. other structures such as street furniture and play equipment;
  - e. proposed levels;
  - f. details of the phasing of these works and to allow for completion early in the development of the overall site;
  - g. a detailed programme for the completion and subsequent maintenance of the proposed linear park
12. Notwithstanding the terms of condition 4 above details are required to accord with condition 1 above in respect of the proposed footpath and cycle network through the wooded areas as identified on the Illustrative Masterplan Drawing 03 Rev D. The submitted details shall include: the proposed routes and their widths; proposed surfacing materials; gradients; connection to the surrounding pedestrian network offering travel to Inverkip, Wemyss Bay and beyond; phasing of the works; and future maintenance.
13. For the avoidance of doubt any of the trees, areas of grass or planted shrubs approved as part of the landscaping scheme under condition 8 that die, become diseased, are damaged or removed within 5 years of planting shall be replaced with others of a similar size and species within the following planting season.
14. Following approval of the matters referred to in condition 8a above, development shall not commence or continue on each phase of the development until the trees to be retained have been protected by suitable fencing. Fencing shall be erected under at least the full extent of the canopy of broadleaf trees and at half the height of conifer trees as set out in BS5837/2012. Development shall not commence until details of the location and type of fencing have been submitted to and approved in writing by the planning authority.
15. All domestic garden dimensions, open space, play provision within the development shall accord with the requirements of the Council's adopted Planning Application Advice Note 3 on "Public and Private Open space within New Residential Development" or any successive draft or adopted replacement document.
16. Details are required to accord with condition 1 above in respect of a scheme for the provision of equipped play area(s) for each phase of the residential development. The scheme shall include:-
- a. details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
  - b. details of the surface treatment of the play area(s), including the location and type of safety surfaces to be installed;
  - c. details of fences to be erected around the play area(s);
  - d. details of the phasing of these works; and
  - e. details of the future maintenance of the play area(s)

Thereafter, development shall proceed in accordance with the approved form unless otherwise agreed by the Planning Authority.

17. Details are required to accord with condition 1 above of all walls (including any retaining walls) and fences to be erected on the site for each phase of the development.
18. Details are required to accord with condition 1 above of details of electric vehicle charging provision to be installed for each phase of the development. Following approval the electric vehicle charging shall be installed as approved prior to the first use/occupation of each of the buildings. Provision shall be made on the basis of:



- a. One trickle charging point per dwelling;
  - b. 20% of available parking spaces fitted with trickle charging points for flats/apartments;
  - c. 5% of available parking spaces for individual commercial developments;
  - d. For other types of development 3% of available parking spaces are required to be fitted with trickle charging points and 2% of available parking spaces fitted with fast charging points.
19. The buildings within each phase of the development shall be designed to ensure that at least 15%, rising to 20% by the end of 2022, 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. Development shall not commence until details of the low and zero carbon generating technologies for each building in each phase of the development have been submitted to and approved in writing by the Planning Authority. Following approval the low and zero carbon generating technologies shall be installed as approved prior to the first use/occupation of each of the buildings.
  20. For the avoidance of doubt a minimum 5% of the dwellinghouses to be constructed on site in each phase shall be fully wheelchair accessible.
  21. For the avoidance of doubt the development platform for the site shall set in accordance with Section 5.2 of the Flood Risk Assessment (5.0m Above Ordnance Datum) and the Finished Floor Level (FFL) of all properties/buildings within each phase of the development shall be set at a minimum of 600m above this level.
  22. Details are required to accord with condition 1 above of details relating to the de-culverting of the Brueacre Burn. The new channel of the Brueacre Burn shall be sized in accordance with Section 7 of the Flood Risk Assessment and geomorphological modelling is undertaken to inform the design of the new channel of the Brueacre Burn. Works shall then proceed as approved unless otherwise agreed by the Planning Authority.
  23. Any site/vegetation clearance work shall be undertaken outwith the bird breeding season (March to August inclusive) unless otherwise agreed in advance in writing by the Planning Authority. Any request to carry out site clearance works during the bird breeding season shall be accompanied with a pre-construction bird breeding survey.
  24. Details are required to accord with condition 1 above of details of the new access roundabout to be constructed on the A78(T) as identified on the illustrative Masterplan Drawing 03 Rev D and Stantec Drawing No.42018/2001/SK127.
  25. Construction of any part of the development hereby permitted shall not commence until the new access roundabout with the A78(T), generally as illustrated on Stantec Drawing No.42018/2001/SK127, has been constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
  26. Construction of any part of the development hereby permitted shall not commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed Plan. In particular, the CTMP shall identify measures to restrict the use of the new site access roundabout on the A78(T) to construction traffic only, for the period prior to it being upgraded to traffic signal control.
  27. No more than 200 residential units shall be occupied until the new access roundabout with the A78(T) has been upgraded to traffic signal control, generally as illustrated on Stantec Drawing No. 42018/2001/SK128, to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

28. No more than 200 residential units shall be occupied until the A78(T) northbound off-slip has been blocked off, generally as illustrated on Stantec Drawing No. 42018/2001/SK128, to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
29. No part of the development hereby permitted shall be occupied until the junctions of Main Street (North) and Harbourside (Kip Marina) with the A78(T) have been upgraded to traffic signal control, generally as illustrated on Stantec Drawing No. 42018/2001/SK129, to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
30. Prior to occupation of any part of the development hereby permitted, a new footway/cycleway along the west side of the A78(T), generally as illustrated on Stantec Drawings No. 45459-5508-100 and 45459-5508-101, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.
31. The details submitted for each phase of the development shall be accompanied with an updated Transport Assessment identifying trip generations and junction analysis.
32. No dwellinghouse or flat shall be occupied until the contents of 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 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. The Travel Information Pack shall be updated by the applicant/developer as deemed necessary by the Planning Authority to take account of the progression of the development.
33. No dwellinghouse or flat shall be occupied until full details of the shuttle bus service for residents between the development and Inverkip Train Station have been submitted to and approved by the Planning Authority. The details to be submitted shall include the duration and frequency of service, the intended route, collection and drop-off points and the operator of the service.
34. Details are required to accord with condition 1 above of surface water management and Sustainable Drainage Systems proposals for each phase of the development. For the avoidance of doubt the drainage scheme must comply with the principles of Sustainable Drainage Systems (SuDS) as set out in CIRIA SuDS Manual (C753) and the discharge rate shall be attenuated to predevelopment greenfield run-off rates.
35. Details are required to accord with condition 1 above of the details and design of the foul drainage system for each phase of the development. The details and design shall be accompanied with an updated Drainage Impact Assessment.
36. Prior to the commencement of works on any phase of the development, confirmation that all the requirements of Scottish Water can be fully met, including confirmation of Scottish Water's acceptance of the foul and surface water drainage proposals, shall be submitted to and approved in writing by the Planning Authority.
37. At the same time as the submission of the details to accord with condition 1 an updated flood risk assessment shall be submitted which takes account of the detailed layout and design proposals for each phase of the development. For the avoidance of doubt the recommendations set out within the "recommendations and conclusions" section of the Flood Risk Assessment shall be incorporated into the detailed layout and design proposals.
38. Further investigation of the unnamed watercourse at the northern end of the site shall be submitted to identify if any mitigation measures are required to prevent flood risk and what impact these may have on the drainage strategy for the site. The investigation report shall be submitted at the same time as the submission of the details to accord with condition 1 above.

39. Further investigation into ground water flooding shall be carried out to determine any impact on the drainage strategy and detail any mitigation measures required. The investigation report shall be submitted at the same time as the submission of the details to accord with condition 1 above.
40. An updated report relating to the existing seawall shall be undertaken to ensure both seawall and rock armour revetment are in acceptable condition. The report shall be submitted for the approval in writing by the Planning Authority prior to any development commencing on site.
41. Prior to the commencement of any development on site the maintenance responsibilities for the de-culverted Brueacre Burn shall be submitted for the approval in writing by the Planning Authority.
42. Development shall not commence on any phase of the development until 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.
43. Development shall not commence on any phase of the development 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.
44. Before any building in the development hereby approved 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 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.
45. 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.
46. Prior to the commencement of works on any phase of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include:
  - a. a site specific CEMP outlining the details of all construction works and mitigation to be undertaken in relation to that phase together with an indicative timetable of the activities;
  - b. a site waste management plan (dealing with all aspects of waste produced during the construction period), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;

- c. details of the formation of the construction compound, welfare facilities, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
- d. a dust management plan;
- e. a pollution prevention and control method statement, including arrangements for the storage of oil and fuel on the site;
- f. soil storage and management;
- g. management to prevent to the spread of invasive species;
- h. a water management plan to include a drainage management strategy, demonstrating how all surface and waste water arising during construction activities will be managed and prevented from polluting any watercourses or sources;
- i. sewage disposal and treatment;
- j. temporary site illumination;
- k. the construction of the access into the relevant area within the site and the creation and maintenance of associated visibility splays;
- l. details of any required ecological, ornithological and nature conservation mitigation measures including a toolbox talk for protected species to ensure all personnel are aware of what to do should evidence of species be discovered during construction;
- m. hours of operation on site;
- n. post-construction restoration/ reinstatement of the working areas not required during the operation of the relevant phase, including construction access tracks, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas.

The CEMP for each phase of the development shall thereafter be implemented on site as approved unless otherwise first agreed in advance in writing with the Planning Authority.

- 47. No works shall commence on any phase of the development until an independent and suitably qualified Ecological Clerk of Works (ECoW) has been appointed by the developer(s), at their expense, to oversee the implementation the development and Construction Environmental Management Plan (CEMP). Full details of the ECoW (including name, qualifications and contact details) appointed shall be submitted in writing not less than 14 days before development commences to the Planning Authority.
- 48. Prior to appointing the ECoW in accordance with Condition 44 above a 'scope of works' for that person shall be submitted to and approved in writing by the Planning Authority. The Scope of Works shall specify the stages of the process that the ECoW will be present on site for and how regularly they will otherwise inspect the site. All works shall be carried out in accordance with the agreed scope of works unless otherwise agreed by the Planning Authority.
- 49. No works shall commence on any phase of the development until a Woodland Management Plan has been submitted to and approved by the Planning Authority in consultation with NatureScot.
- 50. No works shall commence on any phase of the development until a Marine Mammal Risk Assessment has been submitted to and approved by the Planning Authority in consultation with NatureScot.
- 51. Prior to the commencement of works on any phase of the development, a pre-construction survey for all European Protected species together with all priority Local Biodiversity Action Plan species shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the survey shall set out appropriate mitigation or include a species protection plan where required. The updated standing advice notes for protected species produced by NatureScot including advice on survey shelf life should be referred to.

52. Prior to the commencement of works on any phase of the development, a pre-construction badger survey shall be submitted to and approved in writing by the Planning Authority in consultation with NatureScot. For the avoidance of doubt, the survey shall set out appropriate mitigation or include a species protection plan where required. The updated standing advice notes for protected species produced by NatureScot including advice on survey shelf life should be referred to.

Reasons:

1. To ensure that the matters referred to are given full consideration and to accord with section 59(5) of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. To ensure an appropriate programme for delivery of the various elements of the development.
3. To accord with section 27B(2) of the 1997 Act, as amended by the Planning etc (Scotland) Act 2006.
4. To ensure a precise and acceptable form of development in the interests of future occupants, the proper functioning of the development, and the appearance of the locality.
5. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality and to accord with Schedule 7 of the adopted Inverclyde Local Development Plan and Schedule 6 of the proposed Inverclyde Local Development Plan.
6. To ensure the provision of a neighbourhood play area and acceptable form of development in the interests of future occupants and the appearance of the locality.
7. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
8. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
9. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
10. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
11. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
12. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
13. To ensure the retention of the landscaping scheme.
14. To ensure the retention of and avoidance of damage to trees during development.
15. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
16. To ensure the provision of play areas and acceptable form of development in the interests of future occupants and the appearance of the locality.

17. To ensure a precise and acceptable form of development in the interests of future occupants and the appearance of the locality.
18. To ensure appropriate electric vehicle charging provision.
19. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
20. To ensure provision of wheelchair accessible housing in accordance with Policy 21 of the proposed 2021 Inverclyde Local Development Plan.
21. In the interests of flood control for the site and the locality.
22. In the interests of flood control for the site and the locality.
23. To ensure the appropriate protection of breeding birds.
24. To ensure a precise and acceptable form of development in the interests of future occupants and the proper functioning of the development.
25. To ensure that the design layout complies with the current standards, and that the safety and free flow of traffic on the trunk road is not diminished.
26. To mitigate the adverse impact of construction traffic on the safe and efficient operation of the trunk road network.
27. To ensure that the scale and operation of the proposed development does not adversely affect the safe and efficient operation of the trunk road network.
28. To ensure that the scale and operation of the proposed development does not adversely affect the safe and efficient operation of the trunk road network.
29. To ensure that the design layout complies with the current standards, and that the safety and free flow of traffic on the trunk road is not diminished.
30. To ensure that facilities are provided for the pedestrians that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road.
31. In the interests of roads safety and to ensure the proper functioning of the development.
32. In the interests of sustainable modes of transport.
33. To ensure access to sustainable transport modes.
34. In the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties.
35. In the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties.
36. To ensure Scottish Water's acceptance of the drainage regime for the application site and in the interests of the provision of a satisfactory drainage regime.
37. In the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties.

38. In the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties.
39. In the interests of the avoidance of flooding affecting the development hereby permitted or surrounding lands and properties.
40. In the interests of the avoidance of flooding affecting the development hereby permitted.
41. In the interests of a proper maintenance regime and the avoidance of flooding affecting the development hereby permitted.
42. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
43. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
44. 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.
45. To ensure that all contamination issues are recorded and dealt with appropriately.
46. To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the EIA accompanying the application, or as otherwise agreed, are fully implemented.
47. To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development.
48. To secure a suitable scope and works and appropriate access for the ECoW in the interests of the effective monitoring of and compliance with the environmental mitigation and management measures associated with the development.
49. To ensure that an up-to-date position is known in the interests of the appropriate protection of ecology.
50. To ensure that the up-to-date position is known in the interests of the appropriate protection of ecology.
51. To ensure that the up-to-date position is known and to ensure the appropriate protection of European Protected species and other wildlife.
52. To ensure that the up-to-date position is known and to ensure the appropriate protection of badgers.

David Ashman  
Development Management Team Leader