

A meeting of the Planning Board will be held on Wednesday 5 October 2022 at 3pm.

Members may attend the meeting in person or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Tuesday 4 October 2022 how they intend to access the meeting.

In the event of connectivity issues, Members are asked to use the *join by phone* number in the Webex invitation.

Information relating to the recording of meetings can be found at the end of this notice.

IAIN STRACHAN
Head of Legal & Democratic Services

BUSINESS

****Copy to follow**

1.	Apologies, Substitutions and Declarations of Interest	Page
2.	Continued Planning Application Report by Interim Director, Environment & Regeneration on application for planning permission as follows:	
(a)	Advance Construction (Scotland) Limited and Merchant Homes Limited Proposed new build 4 storey flatted development including associated roads, drainage and landscaping: Land at Bay Street, Port Glasgow (21/0056/IC)	p
3.	Planning Applications Report by Interim Director, Environment & Regeneration on applications for planning permission as follows:	
(a)	Mr Alexander Lyle Construction of farm roads and formation of hardstanding area: Land adjacent to Craigmarnoch, Port Glasgow Road, Kilmacolm (21/0025/IC)	p
(b)	Mr David Jones Proposed 2no. dormers to front elevation. Proposed off street parking space complete with steps to raised deck at front entrance to house: 2 Rosemount Place, Gourrock, PA19 1HQ (22/0187/IC)	p

The reports are available publicly on the Council's website and the minute of the meeting will be submitted to the next standing meeting of the Inverclyde Council. The agenda for the meeting of the Inverclyde Council will be available publicly on the Council's website.

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Enquiries to – **Colin MacDonald** – Tel 01475 712113

Report To: The Planning Board

Date: 5 October 2022

Report By: Interim Director
Environment and Regeneration

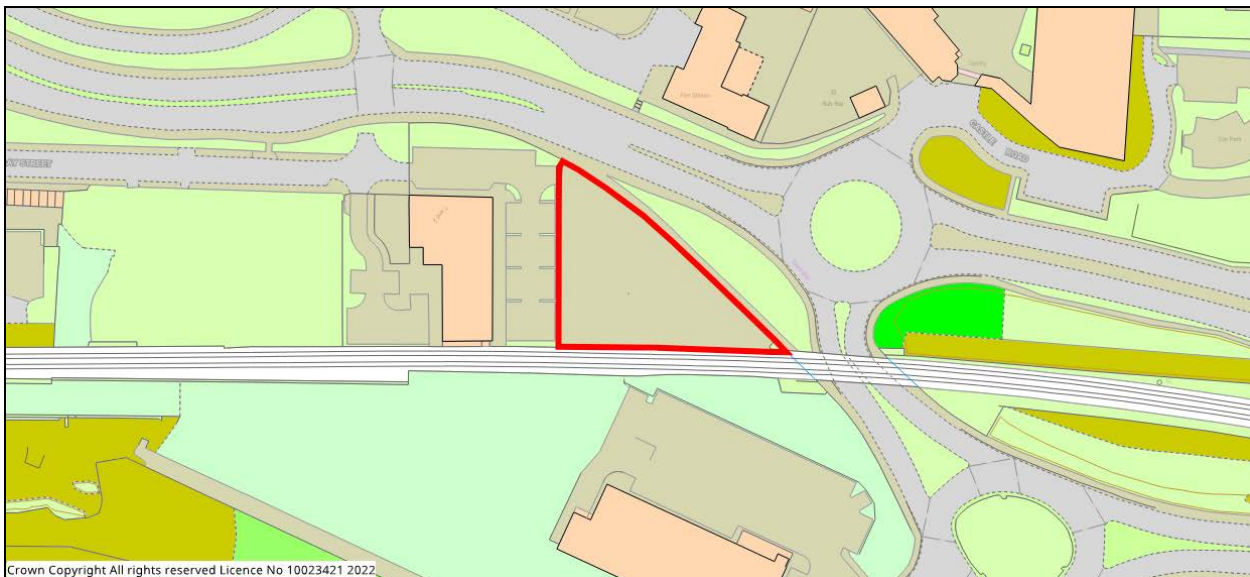
Report No: 21/0056/IC
Plan

Local Application
Development

Contact Officer: David Sinclair

Contact No: 01475 712436

Subject: Proposed new build 4 storey flatted development including associated roads, drainage and landscaping at
Land at Bay Street, Port Glasgow.



SUMMARY

- The proposal largely complies with the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan, however raises one area of significant conflict.
- 15 objections have been received raising a wide range of concerns including access, traffic, parking, amenity, design, heritage and impacts on the adjoining listed building.
- The consultation from the Head of Service – Roads and Transportation raises concerns over inadequate parking for a private development.
- The recommendation is to grant planning permission subject to conditions, subject to the conclusion of a legal agreement requiring the site to be developed for use solely for amenity housing.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=QP572SIML0G00>

BACKGROUND

At the September 2022 meeting of the Planning Board the application was continued for a site visit, which was held on 27 September 2022, to allow Members the opportunity to consider the site and its environs. Following the site visit, Members requested for an archaeological watching brief to be undertaken during any excavation works. This matter can be secured by condition and the list of conditions in the recommendation has therefore been updated.

The report below has been updated in accordance with the advice to the September meeting in respect of wording of the recommendation, with the wording *“That following the conclusion of a Legal Agreement relating to the delivery of affordable housing on the site”* being replaced with *“That following the conclusion of a Legal Agreement securing the provision of amenity housing on the site”*.

Under the Planning (Scotland) Act 2019 (Commencement No. 9 and Saving and Transitional Provisions) Regulations 2022, a condition relating to the duration of planning permission is required to be placed on all consents granted from the 1st October 2022. The list of conditions in the recommendation has therefore been updated.

SITE DESCRIPTION

The application site comprises an area of open space located on the south-west side of the Newark Roundabout which connects the A8 dual carriageway to the A761 (Glasgow Road), on the east side of the category ‘A’ listed Bay Street / Robert Street Gourock Ropeworks site. The site adjoins a railway line to the south, with a supermarket beyond; residential flatted properties to the west; Port Glasgow Fire Station and a shipbuilders to the north across the dual-carriageway; and open space containing urban woodland to the east across Glasgow Road.

Boundary treatments include traditional stone boundary walls on the north-east and south sides, these are approximately 2.4 metres in height along the north-east boundaries; and approximately 4.8 metres in height along the southern boundary and secure timber fencing interspersed with Heras fencing approximately 1.8 metres in height along the western boundary. The site sits on a north facing slope, with average gradients around 1 in 16, increasing towards the southern boundary to around 1 in 7. Access to the site is provided from the north-west corner through the Gourock Ropeworks site.

Historically, the site formed part of the Gourock Ropeworks site and contained industrial buildings which were demolished around 2000. Prior to being incorporated into the Ropeworks site in the 1960s, the site contained a burial ground dating from the mid-19th century, which became disused in the 1910s and two storey dwellings and a restaurant around the north and east boundaries of the site.

Outline planning permission was previously granted on the site for an eight storey hotel in September 2000. Planning permission was previously granted for an eight storey flatted residential development in January 2004, however neither of these consents were ever implemented. The site became a separate plot from the Gourock Ropeworks site in 2008 after the Ropeworks site was redeveloped to residential flats.

PROPOSAL

It is proposed to construct a four storey flatted development, comprising 16 two bed flatted properties and 8 one bed flatted properties. The building is to be located towards the southern site boundary, being set back from the southern boundary by between 4 and 5 metres. The building is to be positioned between 1.4 and 4 metres from the western boundary and 9 metres from the north-east boundary at the closest point. The flats are to be divided between two symmetrical blocks with two access on the north elevation and internal lift access to all properties.

The building is proposed to be finished with dark grey concrete roof tiles; facing brick walls comprising two types of brick, one main finish and one for detailing; anthracite grey external doors and uPVC windows; dark grey fascias and soffits; and black uPVC rainwater goods. The building is to be approximately 43 metres in length and 14 metres in width, with the north-west and north-east corners recessed by approximately 3 metres. The building is proposed to contain a pitched roof with east and west facing gables, with eaves heights of approximately 13.4 metres to the front and 11.6 metres to the rear, with a ridge line approximately 16.75 metres above the adjoining ground. The two protruding south-west and south-east corners of the building are proposed to have the same south-facing roof plane, with separate north-facing roof planes. The building is proposed to contain windows on all four elevations.

Access is to be taken from the existing access on the private road which runs along the northern side of the Gourrock Ropeworks site, at the east end of Bay Street. It is proposed to provide 21 parking spaces within the site, including two disabled bays, along with two bin storage areas on the north side of the building and a cycle storage area directly south of the eastern of the two bin storage areas. Pedestrian access is to be taken along the west side of the site and will run along the front of the building. No further details are provided with regards to landscaping within the site.

The application is accompanied by a Design Statement, a Noise Impact Assessment, SUDS and Drainage Impact Assessment, a Ground Investigation Report and a Daylight Assessment Report.

DEVELOPMENT PLAN POLICIES

CLYDEPLAN STRATEGIC DEVELOPMENT PLAN

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 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.

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

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

Policy 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 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:

- 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
- include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

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

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

Policy 11 – Managing Impact of Development on the Transport Network

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

Policy 16 – Contaminated Land

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

Policy 29 – Listed Buildings

Proposals for development affecting a listed building, including its setting, are required to protect its special architectural or historical interest. In assessing proposals, due consideration will be given to how the proposals will enable the building to remain in active use.

Demolition of a listed building will not be permitted unless the building is no longer of special interest; it is clearly incapable of repair; or there are overriding environmental or economic reasons in support of its demolition. Applicants should also demonstrate that every reasonable effort has been made to secure the future of the building.

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

PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing 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 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.

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 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 20 – Residential Areas

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

Policy 21 – 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 29 – Listed Buildings

Proposals for development affecting a listed building, including its setting, are required to protect its special architectural or historical interest. In assessing proposals, due consideration will be given to how the proposals will enable the building to remain in active use.

Demolition of a listed building will not be permitted unless the building is no longer of special interest; it is clearly incapable of meaningful repair; or there are overriding environmental or economic reasons in support of its demolition. Applicants should also demonstrate that every reasonable effort has been made to secure the future of the building as set out in national guidance.

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

CONSULTATIONS

Head of Service – Roads and Transportation – Advises as follows:

- Parking should be provided in accordance with the National Guidelines. The application proposes 24 dwellings, 8no 1 bedroom apartments and 16no 2 bedroom apartments which requires 40 allocated spaces and 6 visitor spaces a total of 46 spaces. The applicant is proposing the provision of 21 private spaces. The development does not meet these requirements. The plan should be amended to address this.
- Parking requirement within the National Guidelines for amenity housing is 0.5 spaces per dwelling + 0.3 spaces visitor parking per dwelling. The application proposes 24 dwellings which requires 12 allocated spaces and 8 visitor spaces a total of 20 spaces. Applicant to show where visitor parking will be. If this is to be considered as amenity housing evidence should be provided to support this, the email of 7 July 2022 is not acceptable, we require confirmation that this will be housing association if not then the parking requirements of 46 spaces must be adhered to.
- The parking spaces should be a minimum of 2.5m by 5.0m with a minimum aisle spacing of 6.0m.
- The visibility splay at the access should be 2.4m x 43m x 1.05m.
- All footways and footpaths should be a minimum of 2.0m wide.
- The applicant has demonstrated that roads within the site have a gradient of 8% or less. This is acceptable.
- The access road abuts the existing boundary wall. This is not acceptable as it could result in the wall being struck and falling onto the public footpath. The access road should be offset a minimum of 0.5m from the boundary wall to minimise the risk of this occurring. There are proposals to widen the public footpath on the A8 and consequently the development should be set back at least 5m from the road side kerb line.
- The car park, footways and road surface will not be adopted or maintained by the Roads Service.
- 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.

- Submitted SUDS and drainage strategy report is acceptable in principle. Can't locate the Independent Check Certificate for the drainage strategy. This is a requirement and must be submitted.
- All surface water during and after development is to be limited to that of greenfield run off.
- Confirmation of connection to Scottish Water Network should be submitted for approval. Submitted PDE is not complete (Appendix D)
- The drainage survey submitted for the existing drainage network within the site is acceptable, however, it will be the responsibility of the developer to determine its accuracy and any changes as a result of the determination shall be recorded and results provided to this service.

Head of Public Protection and Covid Recovery – Advises as follows:

- That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation. This is recommended to help arrest the spread of Japanese Knotweed in the interests of environmental protection.
- That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation. This is recommended to satisfactorily address potential contamination issues in the interests of human health and environmental safety.
- That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not 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. This is recommended 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.
- That the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority. This is recommended to ensure that all contamination issues are recorded and dealt with appropriately.
- The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place. This is recommended to protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

- All external lighting on the application site should comply with the Scottish Government Guidance Note “Controlling Light Pollution and Reducing Lighting Energy Consumption”. This is recommended to protect the amenity of the immediate area, prevent the creation of nuisance due to light pollution and to support the reduction of energy consumption.
- The proposed site is in very close proximity to a main road, railway, shipyard and supermarket. As a result, a Noise Impact Assessment was requested to investigate the potential impact these noise sources would have on the residential development. As a result of the findings of the report, appropriate acoustic glazing and acoustic trickle vents or mechanical ventilation with heat recovery with appropriate acoustic glazing should be used in the development. These are detailed in the Mitigation measures Section of the Report in Section 9 & 10.3 and should be implemented in the development. This is recommended to protect the amenities of occupiers of premises from unreasonable noise and vibration levels.
- The lift mechanism and motor (plant room/ventilation fans) should be suitably isolated from the building structure. This is recommended to minimise the effects of vibration within the properties.
- Advisory notes are recommended relating to: site drainage; rats, drains and sewers; Construction (Design and Management) Regulations 2015 (CDM 2015); surface water; the design and construction of buildings relating to gulls; and refuse storage and collection.

Historic Environment Scotland – Advises they have 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 their support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Network Rail – Whilst Network Rail has no issues with the principle of the proposed development, advises they would have to object to the proposal unless the following conditions are attached to the planning permission, if the Council is minded to grant the application:

- No development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. The noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the railway line. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme. This is required to ensure that occupants/users of the development do not experience undue disturbance arising from nearby noise sources.
- Advisory notes are recommended to ensure that construction works are undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
- Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail’s Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a “fail-safe” manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a “possession” which must be booked via Network Rail’s Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

Transport Scotland – does not propose to advise against the granting of permission.

Scotia Gas Networks (SGN) – An enquiry has been undertaken via ‘the line search before you dig’ portal which produced a map indicating that no gas pipelines intercept the application site.

The response noted that the plan provided only shows the pipes owned by SGN as a Licensed Gas Transporter (GT). Privately owned gas pipes or ones owned by other GTs may be present in the area and information regarding those pipes needs to be requested from the owners.

PUBLICITY

An advertisement was placed in the Greenock Telegraph on the 12th March 2021 due to the development affecting the setting of a listed building and having neighbouring land with no premises situated on it.

SITE NOTICES

A site notice was posted on the 24th March 2021 due to the development affecting the setting of a listed building.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. 15 representations were received objecting to the proposal. Concerns were raised as follows:

Access Concerns

- Concerns over access being provided through the security gates to Ropeworks.
- Concerns over additional wear and tear on security gates and the responsibility for the maintenance of security gates.
- Concerns over another building having access through secure entry gates making the Ropeworks building less secure.

Amenity Concerns

- Obstruction of daylight to some properties in Ropeworks.
- Concerns over potential invasion of privacy as the building would be fairly close to neighbouring flats and occupants may be able to see into neighbouring flats.
- Window arrangements creating an issue of overlooking into existing properties.
- Concerns over overshadowing of existing properties.
- Concerns over the proximity of bin storage to neighbouring flats and rubbish accumulating which could create an issue of rats.
- Concerns over building flats on areas of natural habitat.

Design Concerns

- This new building will be too close to the Ropeworks. The building should be moved as far east as possible to create more space between Ropeworks.
- The elevations show no colour or how materials and finishes are being applied to the new build.
- There seems to be little care or respect to the existing context, particularly from key views approaching the site from the M8 roundabout or from Clune Brae.
- Concerns over inaccuracies as the site approach drawn on site analysis diagram is wrong.

Historic Environment Concerns

- Concerns over the flats obscuring the façade of the adjoining Grade A listed building and having a detrimental visual impact on the west elevation.
- Concerns over impact on the historical nature of the site.
- With the Ropeworks being a listed building and an iconic feature of Port Glasgow it would be a shame to build anything in front of it. The Newark Castle is already blocked from view by the shipyards hangar and it would be a shame to block the view of another piece of the town's history.

- Considering the A listed status of the Ropeworks building, it is concerning to see that there are hardly any images within the application showing the impact that the new build has on the existing building.
- Concerns over a lack of 3D visuals and visual studies showing the impact of key views towards the Ropeworks building.
- Concerns over a mass grave site found at the site disappearing from the latest findings.
- It must be ensured that the issue of the historical burial ground which exists in the site is dealt with properly and sensitively.

Traffic and Parking Concerns

- Concerns over inadequate parking provision causing cars to overflow into the Ropeworks car parking area.
- Concerns over there not being any provision in the proposed development for Disabled Parking bays.
- Concerns over lack of manoeuvring space for large vehicles.
- Concerns over a lack of a travel management plan being submitted with the application.
- Concerns over the existing access gates creating traffic issues.
- Drawing shows incorrect access in to the development.
- Lack of consideration for traffic management.

Other Concerns

- Lack of jobs locally to employ people buying these properties.
- Lack of school places for children moving into the area.
- Concerns over lack of clarity as to whether the proposal is for social housing or privately owned housing.
- Application unclear how many flats are in scheme – design statement says there are 28 but only 24 on drawings.

ASSESSMENT

This application is defined as a Local Development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. National Planning Policy requires to be considered including Scottish Planning Policy (SPP). The Development Plan consists of the Clydeplan Strategic Development Plan (SDP), the adopted 2019 Inverclyde Local Development Plan (LDP) and the proposed 2021 Inverclyde Local Development Plan (LDP).

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 (SPP) are the two key national planning documents that set the framework for development across Scotland. NPF3 notes the Scottish Government's desire for a significant increase in house building to ensure housing requirements are met. 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 growth.

SPP introduces a presumption in favour of 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. Proposals that do not accord with the development plan should not be considered acceptable 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 of SPP.

Having considered the principles set out in paragraph 29 of SPP, this proposal is considered to be a sustainable development as it involves the efficient use of existing capacities of land and supporting delivery of accessible housing at an existing brownfield urban location instead of being development in a green belt or greenfield location.

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

Strategic Policy

The 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 deliver not only the right type of homes but in the right locations. 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 proposed housing site is not greenfield nor does it exceed 2 hectares in area, as defined in Schedule 14 and Diagram 10 of the SDP. On this basis it is not considered to be of a strategic scale and therefore it is not necessary to consider the SDP in detail. The proposal is, however, considered in general terms to strongly support the Vision and Spatial Development Strategy of the SDP of a compact city region as the site is a brownfield site located within an existing urban area.

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

Local Policy

The remaining material considerations in the assessment of this application are therefore the adopted Inverclyde Local Development Plan (LDP); the proposed Inverclyde Local Development Plan (LDP); Inverclyde Council's Supplementary Guidance on 'Affordable Housing Provision', 'Energy' and 'The Green Network'; Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development"; Draft Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development"; the representations received; the consultation responses; Historic Environment Scotland's "Managing Change in the Historic Environment" guidance note on 'Setting'; and the impact of the proposed development on the setting of the adjacent listed building.

The Spatial Development Strategy of the LDP directs residential development to existing built-up areas in the first instance. The site is located within an established residential area as well as being considered to be in a sustainable location and therefore accords in principle with this strategy.

In terms of local policy, both LDPs locate the application site within an established residential area. All new residential development within residential areas are required to be assessed against Policy 1 of the adopted LDP and Policies 1, 18, 20 and 21 of the proposed LDP. Policy

18 states that 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. The proposed site is not identified in Schedule 3 and as it is within a residential area it requires to be assessed as to whether the site is appropriate for the proposed development. Policy 18 requires all residential development to be assessed against relevant Supplementary Guidance. In considering the criteria in Policy 18, the proposal can be considered to meet: a) a strong preference for appropriate brownfield sites and b) there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan. Further assessment is required to determine whether the proposal meets criterion c) (that the proposal is for sustainable development), and whether it has regard to the amenity, character and appearance of the area, in line with Policy 20 of the proposed LDP. Policy 21 of the proposed LDP requires a minimum of 5% of housing units to be fully wheelchair accessible housing.

Policy 1 of both LDPs requires all development to have regard to the six qualities of successful places and the relevant Planning Application Advice Notes, of which the adopted and draft PAAN 3s are relevant to this proposal. In the adopted LDP, the quality of being 'Distinctive' requires proposals to reflect local architecture and urban form; contribute positively to historic buildings and places; make the most of important views; and use native species in landscaping, and create habitats for native wildlife. In the proposed LDP, the quality of being 'Distinctive' requires proposals to respect landscape setting and character, and urban form; reflect local vernacular/architecture and materials; contribute positively to historic buildings and places; protect and make the most of important views; and use native species in landscaping where appropriate, and create habitats for native wildlife. The relevant factor to being considered 'Adaptable', is whether the proposal avoids creating buildings or spaces that will become neglected or obsolete. The relevant factors to be considered 'Resource Efficient' requires the proposal to make use of existing buildings and previously developed land; incorporate low and zero carbon energy-generating technology; and provide space for the separation and collection of waste. The relevant factors to be considered 'Easy to Move Around' is being well connected and recognising the needs of pedestrians and cyclists. The relevant factors to be considered 'Safe and Pleasant' are to avoid conflict with adjacent uses and minimise the impact of traffic and parking on the street scene. The relevant factors to be considered 'Welcoming' are to integrate new development into existing communities and make buildings legible and easy to access.

In addition, as the application includes the provision of new buildings, Policy 6 in both LDPs is applicable. Policy 9 of the adopted LDP and Policy 10 of the proposed LDP are relevant as the proposal is for a housing development with multiple units that does not drain directly to coastal waters. As the proposal relates to the construction of new housing which will result in an increase in traffic and vehicular parking in the area, Policies 10 and 11 of the adopted LDP and Policies 11 and 12 of the proposed LDP apply. As the site is brownfield in nature and contained previous development Policy 16 of the adopted LDP and Policy 17 of the proposed LDP apply. Policy 29 in both LDPs requires consideration as the proposal is adjacent to the Category 'A' listed Gourrock Ropeworks building.

Design and Layout

In considering the proposed layout and impacts on urban form and on the setting of the neighbouring listed building, I will consider the guidance given in both PAAN 3s as well as Historic Environment Scotland's guidance note on 'Setting'. Both PAAN 3s identify the proposal as a flatted infill development, that is, the development of flats, irrespective of number of units, on a vacant/redevelopment site within a built up area. For flatted infill developments, both PAAN 3s require flats to reflect the existing scale of buildings and townscape in the immediate environs. Open space need only be provided where surplus land is available following the provision of any off-street parking required. Both PAAN 3s identify that the provision of public open space is not required for flatted infill sites. In all instances the minimum window to window distances must be achieved. The guidance note on 'Setting' states that there are three stages to assessing the impact of a development on the setting of a historic asset or place: identifying the historic assets that may be affected; defining and analysing the setting; and evaluating the potential impact of the proposed changes on the setting, and the extent to which any negative impacts can be mitigated.



View of the site and Ropeworks Building from the north side of the A8.

The proposal identifies a main open space area to the rear and east side of the building, which covers approximately 720 square metres, providing an appropriate level of private amenity space for residents. The site will also contain smaller areas of open space along the west side of the building and north-east side of the car parking area. I note that no landscaping scheme has been provided for the open areas within the site. This matter can be secured by condition to ensure that a suitable landscaping scheme is provided and maintained in order to provide a high level of visual amenity.

The site primarily adjoins the category 'A' listed Gourock Ropeworks building located to the west of the site, with the building being positioned in front of the east side of the listed building. In terms of scale and position, I note the concerns raised over the impacts on key views of the neighbouring listed building when approaching the site and the façade of the listed building being obscured by the proposed development. The setting of the Gourock Ropeworks includes a mixture of two and four storey residential buildings to the west of the listed building; a raised railway viaduct running along the south side of the site and the main A8 arterial road running along the north side of the site. The listed building is primarily viewed along the A8 corridor and from Coronation Park, to the north-west of the listed building. There are also views of the listed building from Clune Brae and Glasgow Road, however from these locations the views to and from the listed building are much less prominent due to the listed building being set behind the railway line and partially obscured by a retaining wall and trees along Clune Brae and behind planting associated with the nearby supermarket. In considering the position of the building, the proposed flats will be positioned towards the rear of the site, being sited approximately 30 metres back from the northern elevation of the listed building. This set-back position from the north-east boundary ensures that the proposal will preserve the established building line along Greenock Road. I note that the listed building is largely obscured when approaching from the east on the A8 by trees on the south-east side of the roundabout and that the position of the building ensures that the listed building comes into view before the proposed building on approach from the east, allowing it to remain as the main focal point from this approach. The listed building sits forwards of the proposed development relative to Coronation Park and the

western approach and as such the proposal is not considered to impact on the listed building from this position.



View of the 'A' listed Ropeworks building from within the site looking west across the site.

In terms of scale, I consider that the scale of the proposal allows it to remain subordinate to the listed building, being around two-thirds the height of the listed building. In terms of design, the rectangular form of the building's frontage can be considered to reflect the form of the listed building and the buildings on the other side of the listed building. The proposed window design reflects the uniform window design and vertical emphasis seen on the windows of the listed building, allowing the building to blend in where the building is viewed in front of the listed building. The choice of materials and finishes reflects the extensive use of brick on both the listed building and the modern development on the west side of the listed building. I consider that this allows the proposal to reflect the surrounding buildings, appearing as being part of a larger development with the listed building as a centrepiece. Whilst I note the concerns raised over the new building being too close to the Ropeworks and that it should be moved as far east as possible within the site, the location proposed can be considered appropriately balanced within the site and reflects the urban form of the area. Furthermore, the set-back position relative to the eastern boundary ensures that the building does not appear over-dominant on the streetscape.

Taking all of the above into account, I am satisfied that the setting of the listed building has been taken into consideration with regard to the design and position of the proposal and that the building is of a high standard which is acceptable for the surrounding context. Furthermore, I note that Historic Environment Scotland raises no concerns or objections over the impact of the proposal submitted on the neighbouring listed building. It stands that the proposal will have an acceptable impact on the setting of the listed building and therefore meets the quality of being 'Distinctive' in Policy 1 of both LDPs. The proposal can also be considered in accordance with Policy 29 of both LDPs and the Historic Environment Scotland guidance note on 'Setting'.

I note the concerns raised over the proximity of the building impacting on daylight into some of the residential properties within the Gourrock Ropeworks to the west of the site. The impact of the building has been assessed against the BRE publication "Site layout planning for daylight

and sunlight: a guide to good practice”, measuring the existing and proposed vertical sky component (VSC). The VSC has been measured for the six closest neighbouring ground floor windows within the Gourrock Ropeworks building, which will face towards the proposed flatted building at distances of between 22.9 and 25.6 metres. If the VSC is greater than 27% then enough skylight will reach the windows of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice a reduction in the amount of daylight. From south to north, starting from the window closest to the railway bridge, the existing VSC levels are 33.5% VSC, 35% VSC, 36.5% VSC, 37.5% VSC, 38% VSC and 38% VSC respectively. With the proposal in place these will be reduced to 29% VSC, 30% VSC, 30.5% VSC, 31.5% VSC, 33.5% VSC and 33.5% VSC respectively. All of these are above the 27% minimum recommended. It stands that the proposal will not result in an unacceptable loss of light to any rooms in neighbouring houses.



View of the site facing south-east from across the Ropeworks car park.

In considering the provision of daylight to the residential properties proposed, the applicant has submitted a daylight assessment report which confirms that the adjoining railway viaduct to the south does not result in unacceptable levels of daylight to the proposed south facing ground floor windows. I note the concerns raised in the representations relating to overlooking and an invasion of privacy from the west facing windows. In considering this, I note the Council's window to window intervisibility guidance, which requires a minimum 18 metre distance be provided between windows that directly face one another. The closest windows on the west elevation of the building accord with this requirement, being set back at least 22.9 metres from the adjoining Ropeworks. Whilst acknowledging that all windows meet the window to window intervisibility guidance, following further discussions with the applicant they have agreed to provide smaller window openings on the west elevation, which can be considered both a betterment in terms of privacy and it avoids creating a large blank wall facing onto the neighbouring residences. Based on the above assessment, I consider the proposal to be in accordance with the guidance in both PAAN 3s and will not result in an unacceptable invasion of privacy.

Drainage and Land Considerations

With regard to Policy 9 of the adopted LDP and Policy 10 of the proposed LDP, these require the applicant to accommodate a Sustainable Drainage System (SuDS). In light of this, details of a SuDS and a Drainage Impact Assessment (DIA) have been submitted. The Head of Service –

Roads and Transportation, within her capacity as Flooding Officer, raises no objections to the proposal in terms of flooding or drainage issues for the site itself or for surrounding land but has requested a condition is placed on the granting of any consents for surface water to be limited to greenfield run-off. I concur with her recommendations and consider this matter can be addressed by means of condition. Regarding the other points raised confirming Scottish Water acceptance and an Independent Check Certificate, these have subsequently been submitted by the applicant. On this basis I conclude that the proposal accords with Policy 9 of the adopted LDP and Policy 10 of the proposed LDP.

In considering the proposal in relation to Policy 16 of the adopted LDP and Policy 17 of the proposed LDP, in particular regarding potential contamination issues, the Head of Public Protection and Covid Recovery has been consulted to determine compliance with these policies. He raises no objections to the proposal, however has requested conditions are placed on the granting of any consents for a survey to be carried out for Japanese Knotweed, as well as for an Environmental Investigation and Risk Assessment to be carried out before development commences, with a Remediation Scheme put in place in order to identify and address potential contamination issues, as well as a report to be submitted upon completion to ensure no contamination is brought onto the site. I concur with his recommendations and consider that by addressing these matters by means of condition, the proposal is in compliance with the requirements of Policy 16 of the adopted LDP and Policy 17 of the proposed LDP.

Regarding the concerns raised over the loss of natural habitat, the site is a brownfield site which is predominantly a mixture of grass and hardstanding remaining from the previous development and can be considered to have low wildlife and habitat potential. There are a number of immature and semi-mature trees around the edges of the site. As the site is not located within a Conservation Area or covered by a Tree Preservation Order (TPO), the trees are currently not afforded any protections. I note that no details have been provided confirming soft landscaping or tree retention and planting for the site and consider that this matter can be secured by means of condition to ensure a high quality finish is provided throughout the site.

I note the concerns raised in the representations over the mass grave within the site not being mentioned on the latest findings and over the issue of the historical burial ground which exists in the site. The site operated as a burial ground in the 19th century, until it became disused in the 1910s. I note that archaeological surveys were previously carried out as part of a condition of planning permission granted back in 2008 which identified that there were graves remaining on site. Subsequently, discussions have taken place between the applicant and the Council regarding the disinterment and reinterment of the human remains within the graves to a cemetery within the Inverclyde area. The applicant has also submitted a writ to the courts, to obtain legal consent to relocate the human remains to a cemetery within the Inverclyde area. The process of disinterment and reinterment of human remains falls outwith the remit of the planning authority and is more appropriately controlled by other legislation. Any potential contamination issues relating to the disinterment can be addressed as part of the conditions previously identified by the Head of Public Protection and Covid Recovery.

Residential Amenity

In considering amenity, with regards to noise, I note that Network Rail have requested a condition be attached to the granting of any consent for the submission of a Noise Impact Assessment to the Planning Authority which identifies the potential for occupants of the proposed development to be impacted by noise from the railway line. The Head of Public Protection and Covid Recovery also requested a Noise Impact Assessment, which was subsequently submitted by the applicant to the Planning Authority. The Head of Public Protection and Covid Recovery has requested a condition be placed on any consent to ensure appropriate glazing and ventilation is provided to mitigate noise issues on any occupiers of the development. I concur with the consultee remarks on these matters and am satisfied that these issues can be addressed and resolved by means of condition.

I note the concerns raised in the objections over the proximity of bin stores to neighbouring properties and potential accumulation of waste attracting rats. Regarding this matter, the Head of Public Protection and Covid Recovery has requested a condition be placed on the granting of

any consents for a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The applicant has indicated that two bin stores will be provided on site, however no further details are provided. I consider that full details of the design, materials and finishes for the bin stores can be addressed by condition to ensure that the bin stores are visually acceptable and that suitable waste storage is provided as part of the development.

Turning to other matters raised by the Head of Public Protection and Covid Recovery, matters regarding external lighting and the lift mechanisms and motors being suitably isolated are more appropriately controlled by other legislation. An advisory note on these matters can, I consider, be added to the other advisory notes recommended by the Head of Public Protection and Covid Recovery as part of the granting of any planning permission.

Transport and Connectivity

With regard to Policy 11 of the adopted LDP and Policy 12 of the proposed LDP and the impacts on traffic and parking on the street scene (Policy 1 of both LDPs), I note the concerns raised in the objections with regard to traffic management, inadequate parking provision, lack of space for manoeuvring large vehicles, a lack of disabled parking provision and no travel management plan being submitted with the application. In terms of impacts on the nearby traffic network, I note that Transport Scotland raises no objections to the proposal in terms of impacts on the nearby trunk road. In considering these points and policies, I turn to the consultation response from the Head of Service – Roads and Transportation.

She has identified the provision of 21 parking spaces to be significantly insufficient for a private development which requires a minimum of 46 parking spaces and objects to the proposal being granted for use as a private development on these grounds, however, notes that the parking provision would be acceptable for amenity housing, which requires a minimum of 20 parking spaces. I concur with her remarks that should the proposal be for private housing, the proposal would result in a significant shortfall of parking spaces for residents and visitors, negatively impacting on traffic and parking in the street scene and as such, would be contrary to Policy 11 of the adopted LDP and Policy 12 of the proposed LDP and fail to meet the quality of being 'Safe and Pleasant' in Policy 1 of both LDPs.

Following further discussions with the applicant, they have indicated that they would be agreeable to transferring the site to a Registered Social Landlord (RSL) for development as amenity housing and have identified an RSL that would be interested in taking on the site. The applicant is, however, unable to provide sufficient evidence at this time to the satisfaction of the Head of Service – Roads and Transportation that the site will be occupied solely for amenity housing. In order to satisfy the requirements of the Head of Service – Roads and Transportation and to accord with Policy 11 of the adopted LDP and Policy 12 of the proposed LDP in terms of parking, a legal agreement needs to be put in place to ensure that the site will be occupied solely for amenity housing. Only upon the conclusion of such an agreement can it be considered appropriate to grant planning permission for this proposal.

Should such an agreement be met to secure amenity housing on the site and satisfy the requirements of the Head of Service – Roads and Transportation, the provision of the parking spaces indicated can be considered to help minimise traffic and parking on the street scene, in accordance with meeting the quality of being 'Safe and Pleasant'. I consider it prudent to condition that these are provided prior to the flatted building being occupied.

Turning to other matters raised in the consultation response received from the Head of Service – Roads and Transportation, the minimum access width of 6.0m is identified as being a suitable size to allow larger vehicles to manoeuvre around the site and can be secured by condition, along with the minimum set back distance from the boundary wall, parking space sizes and footway widths. Regarding visibility splays, the applicant has subsequently submitted visibility splays to be agreed upon with the Head of Service – Roads and Transportation.

Regarding concerns in the representations over there not being any disabled parking bays provided, further discussions with the applicant have confirmed that parking bays parked as 12 and 13 which are closest to the building are to be designed and designated as disabled parking bays. The provision of these can be secured by condition. Further to this, Policy 21 of the proposed LDP requires for development with 20 or more units for a minimum of 5% to be wheelchair accessible and the quality of being 'Welcoming' requires buildings to be legible and easy to access. All of the flats are to be designed to accommodate wheelchair users, with lifts being provided in each block to provide access to upper floors of the building. As 100% of the units will be wheelchair accessible, the proposal accords with Policy 21 of the proposed LDP and can be considered to meet the quality of being 'Welcoming' in this regard.

Regarding concerns raised in the representations received over a lack of a travel management plan being submitted with the application, the Head of Service – Roads and Transportation has not identified the proposal as being of a size that would require a travel management plan to be submitted as part of the application.

In considering the accessibility of public transport from the site and whether the proposal meets the quality of being 'Easy to Move Around', the site has good connectivity with public transport nodes, with the nearest bus stops being 150 and 425 metres from the site entrance on Greenock Road (A8). Both of these provide a number of regular services between 07:00 and 23:00. The site also has good rail connectivity, being located around 600 metres from Port Glasgow Railway Station. In considering the suitability of walking and cycling access (Policy 10), the proposal indicates that secure cycle storage is to be provided within the grounds of the building. I also note the comments from the Head of Service – Roads and Transportation advising that all footways are a minimum of 2.0 metres in width to afford suitable pedestrian access throughout the site. This matter can be secured by condition. I note that the site provides good access to the core path network which runs along the north-east boundary of the site along Greenock Road, therefore it meets the quality of being 'Easy to Move Around', and can be considered acceptable in being 'Resource Efficient' with regard to being built around public transport nodes.

Low carbon infrastructure

In addition to the above, the quality of being 'Resource Efficient' also requires the proposal to incorporate low and zero carbon energy-generating technology. Policy 6 of the adopted LDP indicates that support will be given to new buildings designed to ensure at least 15% of the carbon dioxide emissions reduction standard set by the Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage is to increase to at least 20% by the end of 2022. The equivalent requirements and timescales in the proposed LDP are 20% rising to 25% by the end of 2025. I am content that this matter can be satisfactorily controlled by condition.

Policy 10 requires proposals to include electric vehicle charging infrastructure, having regard to the Supplementary Guidance on Energy. The guidance on Energy indicates that for residential flats and apartments, a minimum of 20% of available spaces are required to be fitted with a trickle charging point. I am content that this matter can be satisfactorily controlled by condition and that the proposal will incorporate low and zero carbon energy-generating technology. The proposal also makes use of previously development land, therefore it meets the quality of being 'Resource Efficient' in Policy 1 of both LDPs, and raises no concerns over compliance with Policy 6 of both LDPs.

The proposal is for redevelopment of a brownfield site which has been vacant for over 20 years and is located within an existing residential area. It will bring a site which has been effectively made obsolete back into active use, therefore it meets the quality of being 'Adaptable' in Policy 1 of both LDPs. Taking into account all of the above assessment, the proposal can be considered to have acceptable regard to the relevant factors to be considered 'Safe and Pleasant' and will provide a development that can be successfully integrated into the existing community, meeting the quality of being 'Welcoming'. It stands that the proposal meets all six qualities of successful places and relevant supplementary guidance, therefore it can be considered in accordance with Policy 1 of both LDPs. The proposal is considered to have

acceptable regard to the character, appearance and amenity of the area and raises no conflict with Policy 20 of the proposed LDP.

Other matters

Turning to the other points raised in the representations not yet addressed, regarding clarity on the number of flats in the scheme, the application has been submitted for the provision of 24 flats and is in line with the drawings.

Regarding concerns over a lack of school places for children moving into the development, the development will be for one and two bedroom flats for amenity housing and will primarily be made available to house older residents rather than families with children. The proposal is therefore not of a scale or type which is considered to have a significant impact on the local school capacity. Regarding concerns over a lack of local employment opportunities, this is not considered to be a material planning consideration.

Regarding access concerns and concerns over maintenance for the security gate located between Bay Street and the site, rights of access and agreements over maintenance costs for the security gate are civil matters to be discussed and resolved between the parties involved and are not a material planning consideration, therefore they can have no impact on the outcome of this application.

Overall conclusion

The proposed development is in a sustainable location and strongly accords with national and strategic policies that direct development to existing brownfield sites within urban areas in the first instance before Green Belt sites. Furthermore, the proposal is considered to manage the historic environment with intelligence and understanding and therefore accords with the requirements of the "Historic Environment Policy for Scotland".

In conclusion, I consider that the proposal as submitted accords with Policies 1, 6, 9, 10, 16 and 29 of the adopted Local Development Plan and Policies 1, 6, 10, 11, 17, 18, 20, 21 and 29 of the proposed Local Development Plan. It is the case, however, that the proposal as submitted cannot be considered to accord with Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan.

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. As set out above, it is considered that, in this instance, the shortfall in parking supply and the need for that to be addressed by securing the transfer of the site to a Registered Social Landlord (RSL) for the site to be occupied solely for the purposes of amenity housing to be a material consideration which, unless resolved would warrant refusal of the application.

As the applicant is not a Registered Social Landlord and it is not possible for a Registered Social Landlord to secure the necessary funding from the Scottish Government to take on a privately owned site without there being planning permission in place, I consider that there needs to be a secure mechanism in the form of a Legal Agreement in place prior to planning permission being granted. This would be required in order to afford the Registered Social Landlord the capability of being able to secure the necessary funding and agreement to take on the site for amenity housing, addressing the existing shortfall in parking supply. As such, I am minded to grant planning permission subject to conditions upon the conclusion of such an agreement.

RECOMMENDATION

That following the conclusion of a Legal Agreement securing the provision of amenity housing on the site.

Planning permission shall be granted subject to the following conditions:

1. The development to which this permission relates must be begun within 3 years from the date of this permission.
2. Prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.
3. The development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.
4. Before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not 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.
5. 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 a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
6. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the bin store areas which such containers are to be located within. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.
7. Unless agreed in writing by the Planning Authority, all footways provided within the site shall be a minimum of 2.0m wide.
8. All flatted residential units hereby approved shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 20% by the end of 2022). Details showing how this shall be achieved shall be submitted to and approved in writing by the Planning Authority prior to the construction of the flatted building being commenced.
9. The car parking hereby approved shall contain a minimum of five electric vehicle charging points to be made accessible for the charging of electric vehicles. Details demonstrating how this is to be achieved shall be submitted to and approved in writing by the Planning Authority prior to the erection of the flatted building.
10. Details of appropriate acoustic glazing and acoustic trickle vents or mechanical ventilation with heat recovery with appropriate acoustic glazing, as detailed in Sections 9

and 10.3 of the Noise Impact Assessment, authored by CSP Acoustics on the 23rd June 2021 shall be submitted to and approved in writing by the Planning Authority. The acoustic measures approved shall subsequently be installed prior to the development being occupied.

11. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.
12. The flatted residences hereby approved shall not be occupied until the 21 off-street parking spaces shown in approved drawing A1233-BRU-ZZ-ZZ-DR-A-20010, Revision G have been provided. The 21 parking spaces shall be retained on site at all times thereafter unless otherwise agreed in writing by the Planning Authority.
13. A minimum of two disabled car parking spaces shall be provided within the site and these shall be a minimum of 6 metres long by 2.5 metres wide with a 1 metre clearance.
14. All remaining car parking spaces shall be a minimum of 5.0 metres long by 2.5 metres wide with an aisle spacing of a minimum of 6.0 metres.
15. Unless agreed in writing by the Planning Authority, all footpaths and footways within the site shall be a minimum of 2.0m wide.
16. The surface water flow from the site during and after development shall be limited to greenfield flow off.
17. Full details of any boundary treatments proposed along the western site boundary shall be submitted to and approved in writing by the Planning Authority. Development shall proceed utilising the approved materials, unless agreed in writing by the Planning Authority.
18. Prior to the commencement of development, full details of the proposed hard and soft landscaping for the site shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, this shall include details of any trees currently on site which are to be retained and details of any trees, shrubs and hedges which are to be planted as part of the development. All soft landscaping hereby approved shall be planted during the first growing season following the first flatted property hereby permitted being occupied.
19. Details of maintenance and management for the landscaping shall be submitted to and approved in writing by the Planning Authority prior to any flatted property being occupied. Management and maintenance shall commence upon completion of the landscaping.
20. Any trees, shrubs, hedges or areas of grass which die, are removed, damaged or become diseased within five years of completion of the soft landscaping shall be replaced within the following year with others of a similar size and shape.
21. The developer shall secure the implementation of an archaeological watching brief, to be carried out by a suitably qualified archaeological organisation acceptable to the Planning Authority, during all ground disturbances. The retained archaeological organisation shall be afforded access at all reasonable times to allow them to observe works in progress and shall be allowed to record and recover items of interest and finds. A method statement for the watching brief shall be submitted to and approved in writing by the Planning Authority prior to the commencement of works on site. The name of the

archaeological organisation retained by the developer shall be given to the Planning Authority in writing no less than 14 days before development commences.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. In order to help arrest the spread of Japanese Knotweed in the interests of environmental protection.
3. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
4. 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.
5. To ensure all contamination issues are recorded and dealt with appropriately.
6. To protect the amenity of the immediate area and prevent the creation of nuisance due to odours, insects, rodents or birds.
7. To ensure safe footpath access in the interests of road and pedestrian safety.
8. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
9. To ensure adequate provision is made to encourage the use of electric vehicles.
10. In order to protect the amenities of occupiers of premises from unreasonable noise and vibration levels.
11. In the interests of rail safety.
12. To ensure suitable parking provision for the new development in the interests of road safety.
13. To ensure the usability of the car parking spaces in the interests of road safety.
14. To ensure the usability of the disabled car parking spaces in the interests of road safety.
15. To ensure safe pedestrian access throughout the site.
16. To ensure the development does not increase the risk of flooding to nearby properties.
17. In order to provide an appropriate finish to the site.
18. To ensure the provision of a suitable landscaping scheme in the interests of visual amenity and to ensure the provision of a visually acceptable environment.
19. To ensure the maintenance and management of the approved landscaping scheme in the interests of visual amenity.
20. To ensure the maintenance of the approved landscaping scheme in the interests of visual amenity.
21. In order to protect any archaeological remains and to allow the planning authority to consider this matter in detail.

Stuart W. Jamieson
Interim Director
Environment and Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Sinclair on 01475 712436.

Report To: The Planning Board

Date: 5 October 2022

Report By: Interim Director
Environment and Regeneration

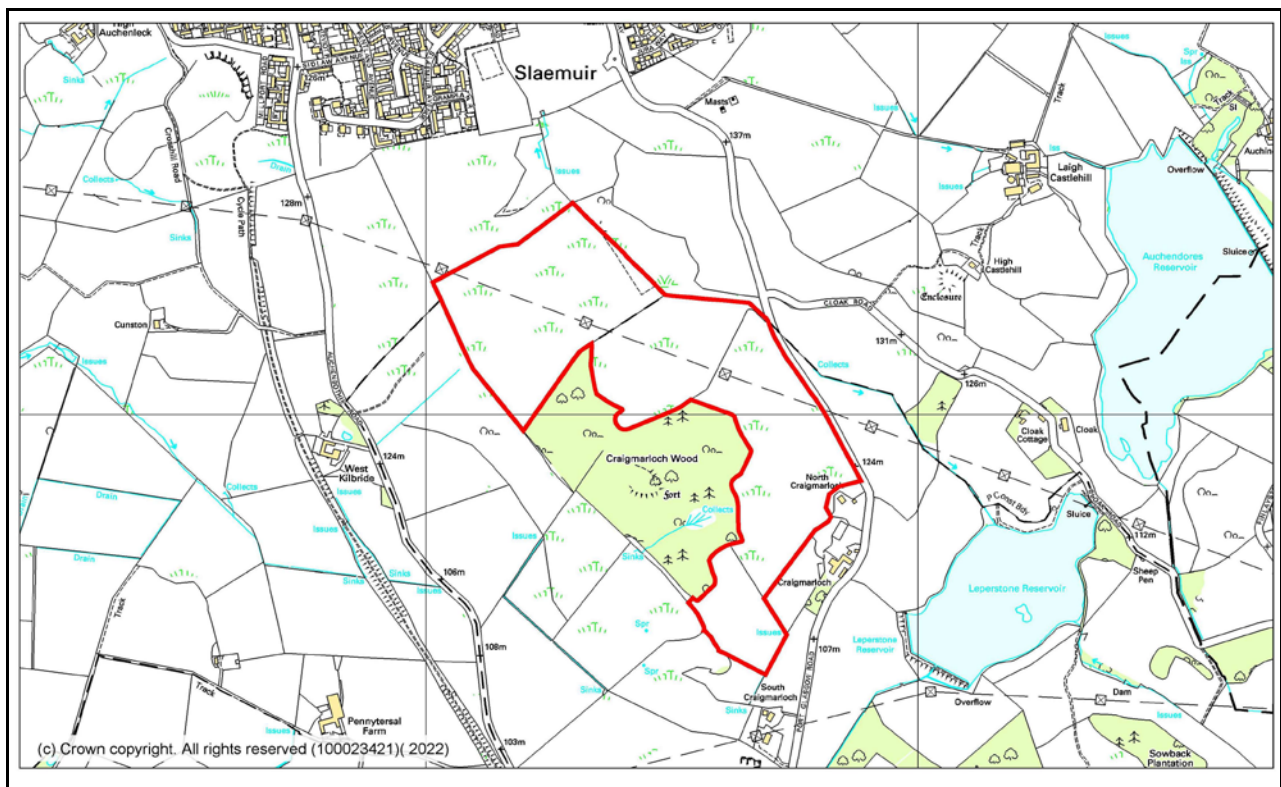
Report No: 21/0021/IC

Local Application
Development

Contact
Officer: Sean Mc Daid

Contact No: 01475 712412

Subject: Construction of farm roads and formation of hardstanding area at
land adjacent to Craigmarnloch, Port Glasgow Road, Kilmacolm



SUMMARY

- The proposal accords with the both the adopted and proposed Inverclyde Local Development Plans.
- Representations were received including from two community groups.
- The consultations present no impediment to development.
- The recommendation is to GRANT SUBJECT TO CONDITIONS.

Drawings may be viewed at:

[21/0025/IC | Construction of farm roads and formation of hardstanding area | Land Adjacent To Craigmarnloch Port Glasgow Road Kilmacolm \(inverclyde.gov.uk\)](#)

SITE DESCRIPTION

The site is in the Green Belt to the south of Port Glasgow and is located to the north of Craigmarnloch Wood and on the west side of the A761 Port Glasgow Road.

The entire application site that has been identified and outlined in red in this application extends to approximately 28 hectares and is irregular in shape. The ground levels undulate across the site with a general rise in levels across the site from east to west. Craigmarnloch Wood is covered by a Tree Preservation Order and is elevated above the site. In the land to the north of the site afforestation planting has been carried out and these are saplings at the moment.

An overhead electricity line runs across the site in a general north-west to south-east direction. Two pylons are located within the site and one is adjacent to the west boundary of the overall site. It should be noted that the existing overhead line and pylons are to be removed and a new overhead line supported by wooden poles installed in a similar alignment as part of works between the Devol Moor Sub-station in Inverclyde and the Erskine Sub-station in Renfrewshire (20/0001/EAA). Ten poles are to be erected within the site of this planning application to support the new overhead line.

PROPOSAL

In terms of the background to this application it should be noted that the formation of private ways on agricultural land for the purposes of agriculture on that agricultural holding is permitted development under Class 18(1)(b) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). However this is subject to the condition that an application must be submitted before beginning the development to the Planning Authority to determine whether the prior approval of the authority is required in respect of the design, manner of construction or route of the private way.

The abovementioned Order is clear that such an application for prior approval is to be submitted before the development commences. The Order is also very clear that the development is not to be commenced before written confirmation by the Planning Authority of whether prior approval is not required, prior approval is given or a period of 28 days has passed without the Planning Authority giving notice of their determination.

It is understood the construction was carried out on site during December 2020 before an application for prior approval was submitted. As such what has been constructed cannot be permitted development under Class 18(1)(b) and requires planning permission instead.

Planning permission is therefore sought for the formation of farm roads and a hardstanding area within the overall application site and it has been indicated that the area of the works for the construction of the roads and hardstanding is 1.27 hectares.

It should be noted that since the planning application was first submitted there have been a number of iterations of the plans submitted to address various matters that have been raised particularly relating to the access into the site from the A761 Port Glasgow Road and drainage.

The submitted plans show two sections of farm roads within the site. One of the roads is to run in a general east to west direction (identified on the application drawings as Farm Road 2) from the proposed access point off the A761 Port Glasgow Road and the other branches to run in a general north to south direction (identified on the application drawings as Farm Road 1) and around the east side of Craigmarnloch Wood. The east to west road is to lead to a hardstanding area located towards the west part of the site. The hardstanding area is to be 100m long by 50m wide and aligned north to south. The net end result of this proposal would be approximately 1150m of farm roads within the site and a hardstanding area that extends to 5000sqm.

Typical cross sections are shown on the application drawings with the farm roads being elevated above existing ground levels by a maximum of 2m. There are to be sloping sides to the roads and the running surface for vehicles is to be 4m wide.

It should be noted that part of the road running generally east to west has been constructed from the current point of access off the A761 to approximately the centre west part of the site. The access that has been formed off the A761 Port Glasgow Road is at an angle to the road. The roads and hardstanding are to be constructed from gravel that is delivered to the site. No material is to be excavated or quarried at the site to provide construction materials for the development. The parts of the road that have been partially completed reveal the construction method that involves boulders/larger stones being laid as a base course and gravel material laid on top to form the running surface. Approximately a third of the way along the east to west road a drainage pipe has been laid under the road and this drains water in a north direction.

There are also mounds of earth and gravel that have been piled at various positions along the track. It has been indicated the remaining stockpiles of soil along the length of the road are to be used to dress off the edge of the road and will be grass seeded on completion.

It should also be noted at this time the area at the site entrance currently forms a general triangle shape that is at an angle to the A761 and tapers in width in a general north-west direction. The proposed access point off the A761 is to be in the same general position as the current access however it is to be at right angles to the road with the initial section of the access laid in tarmac with appropriate road markings to identify a give way junction. At the entrance to the site there is a currently a drainage ditch that runs along the side of the A761 and water run-off flows along this ditch. A filter trench is to be formed along the south side of the access road that is to be drained into the field to the south. The filter trench is also to run parallel to the A761 in a general south direction before discharging to an existing headwall and a surface water pipe that runs under the A761 to fields to the east.

DEVELOPMENT PLAN POLICIES

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

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

Policy 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 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 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 15 - Soils

Development on prime agricultural land or affecting carbon rich soils will only be supported if:

- a) it is on land allocated for development in this Local Development Plan or meets a need identified in the Strategic Development Plan;
- b) there is a specific locational need for the development;
- c) it is for small scale development directly linked to a rural business; or
- d) it is for renewable energy generation or mineral extraction, and the proposals include provision for the site to be returned to its former status.

For carbon rich soils, it will also need to be demonstrated that adverse impacts on the soil resource during the construction and operational phases of a development will be minimised and the development will not result in a net increase in CO₂ emissions over its lifetime.

Policy 31 - Scheduled Monuments and Archaeological Sites

Development that would potentially have an adverse effect on a Scheduled Monument or the integrity of its setting will only be permitted in exceptional circumstances.

Development affecting archaeological sites should seek to preserve the archaeological resource in situ.

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.

PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing 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 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 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 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 16 - Soils

Development on prime agricultural land will only be supported if:

- a) it is on land allocated for development in this Local Development Plan or meets a need identified in the Strategic Development Plan;
- b) there is a specific locational need for the development;
- c) it is for small scale development directly linked to a rural business; or
- d) it is for renewable energy generation or mineral extraction, and the proposals include provision for the site to be returned to its former status.

Development should avoid the unnecessary disturbance of peat and carbon-rich soils. Best practice must be adopted in the movement, storage, management and reinstatement of peat and carbon-rich soils.

Where peat and carbon rich soils are present on an application site, a depth survey must be undertaken which demonstrates that areas of deep peat have been avoided as far as is possible. A peat management plan must also be produced, detailing mitigation measures which demonstrate that the unnecessary disturbance, degradation or erosion of peat will be avoided., It will also need to be demonstrated that adverse impacts on the soil resource during the construction and operational phases of a development will be minimised and the development will not result in a net increase in CO2 emissions over its lifetime.

Policy 31 – Scheduled Monuments and Archaeological Sites

Development that would potentially have an adverse effect on a Scheduled Monument or the integrity of its setting will only be permitted in exceptional circumstances.

Development affecting archaeological sites should seek to preserve the archaeological resource in situ. Where this is not possible, the developer will be required to fully record the archaeological resource for archiving, prior to development commencing.

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:

- there are no alternative solutions; and
- there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- 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:

- the setting of buildings and settlements within the landscape
- the pattern of woodlands, fields, hedgerows and trees; especially where they define/ create a positive settlement/ urban edge
- the character and distinct qualities of river corridors
- historic landscapes
- 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:

- it can be clearly demonstrated that the development cannot be achieved without removal; or
- the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- 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.

CONSULTATIONS

Head of Service – Roads and Transportation – advises the following:

- The access shall be a minimum of 5.0m wide for a distance of 20.0m from the edge of Port Glasgow Road.
- The access shall be paved for a minimum distance of 10.0m to prevent loose material being spilled on to the road.
- Access shall have a maximum gradient of 10%.
- The access should join Port Glasgow Road at 90 degrees.
- The visibility splay of 2.4m x 120m x 1.05m should be achieved. This visibility splay must be kept free of obstruction in perpetuity. This should be conditioned.
- Demonstrate that HGVs can turn in and out of the road from both directions.
- All surface water shall be contained within the site.
- A maintenance regime shall be provided for all private roads drainage to ensure drainage functions as designed.

Head of Public Protection and Covid Recovery - No objections in relation to public health, air quality or noise. Recommends a condition in respect of a survey for Japanese Knotweed.

PUBLICITY

The application was advertised in the Greenock Telegraph on 26 February 2021 as there are no premises on neighbouring land.

SITE NOTICES

None.

PUBLIC PARTICIPATION

Three individual objections have been received and the grounds of objection relate to: work already started; the completed earthworks being out of proportion for a cattle hardstanding and there is no shelter for cattle; questions to intended function of the development and the road around the side of Criagmarloch Wood; toxic waste already dumped and possible contamination of local watercourse; will result in unauthorised dumping of waste materials or fly tipping occurring; site already at risk of flooding and concerns at increase in flooding with no arrangements for surface water drainage; drainage pipes are damaged and poorly maintained causing flooding elsewhere; and questions the timeframe for expansion of the site; and potential noise disturbance.

Kilmacolm Community Council has also objected and has commented as why is there a request for an exemption for waste management when there is already a large amount of waste deposited on the site in the form of building rubble. They have also made comments regarding neighbour notification.

The Kilmacolm Civic Trust has no objections in principle and has commented on the possibility of the hardstanding being a tip for builder's rubble and waste as it is concealed from public view. They have suggested a condition preventing this use rather than waiting for the use to occur.

ASSESSMENT

Although the area outlined in red on the overall location plan is 27.7 hectares the area of the development in the form of the proposed roads and hardstanding area does not exceed 2 hectares. As a consequence this is a Local Development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The material considerations in the determination of this application are the adopted Inverclyde Local Development Plan; the proposed Inverclyde Local Development Plan; the consultation responses; and the amenity impact of the proposal.

Policy 1 of both the adopted and proposed Local Development Plans requires development to have regard to the six qualities of successful places, taking account of the factors set out in Figures 3 and 2 respectively. In this development, the relevant factors relate to being 'Distinctive' through retaining locally distinct natural features and being 'Safe and Pleasant' by avoiding conflict with adjacent uses.

The majority of the overall site is in a Rolling Pastureland Landscape Character Type with the adjacent Craigmearloch Wood to the south and south-west in a Rocky Hills & Ridges Landscape Character Type. Although there is to be approximately 1150m of farm roads within the site and a hardstanding area that extends to 5000sqm these will not be highly visible from public view from outwith the site. On the approaches to the site along the A761 from both the north and south there is topographic screening which lessens the visual impact of what has been constructed so far and this will also be the same for the remainder of the development. It should be noted there are no footpaths along either side of the A761 in the vicinity of the site and views of the site are unlikely to be experienced by pedestrians. The majority of travelers along this road are likely to be in vehicles and would be travelling at speeds typical for a road of this type which results in any views of the development being of short duration. The development and what has been constructed so far is most evident adjacent to the current site entrance off the A761. The access at right angles to the A761 with the road markings will also be most evident in close proximity to it. However the development is not considered to be a visually dominant at this location or visually intrusive in the landscape. The locally distinct landscape feature at this location is Craigmearloch Wood and the development does not result in a loss of this wood and it will remain the main landscape feature at this part of the landscape. The visually dominant man-made feature in this part of the landscape are the electricity pylons and these draw the attention of a viewer travelling along the roads in the vicinity of the site. The development would not change this impact. The development would in general terms not conflict with Policy 1 of both the adopted and proposed Local Development Plans.



View of the access point as currently constructed looking towards Port Glasgow Road

In terms of the principle of the development Policy 14 of the adopted Local Development Plan and Policy 15 of the proposed Local Development Plan relate to development in the Green Belt. The applicant's farm steading at Scart Farm is located to the south-east of Kilmacolm and east of Quarrier's Village with neighbouring fields/land as part of the farm holding. The application site is indicated as land owned by the applicant and part of the farm holding. The roads and hardstanding are for agricultural purposes and therefore do not conflict with Policy 14 of the adopted Local Development Plan and Policy 15 of the proposed Local Development Plan

Craigmearloch Wood Fort is a Scheduled Ancient Monument located within Craigmearloch Wood and its presence is not evident from outwith the wood. The roads and hardstanding are located away from this and are not considered to have any adverse impact on this Scheduled Ancient

Monument and the development does not conflict with Policies 31 of both the adopted and proposed Local Development Plan.

The development is also located away from Craigmarnloch Wood and does not result in the removal of trees from the wood or affect the Tree Preservation Order. The development therefore does not conflict with Policy 34 of the adopted Local Development Plan or Policy 35 of the proposed Local Development Plan.



View from the interior of site looking south towards Craigmarnloch Wood

It is acknowledged that the development involves hard surfacing on a site that did not previously have this. However the materials used in the construction of the roads and hardstanding area are considered to be permeable and allows for surface water to drain in a sustainable manner. The Head of Service – Roads and Transportation has raised no objections regarding surface water drainage or flooding and has advised the surface water drainage is to be contained within the site. The maintenance regime recommended by the Head of Service – Roads and Transportation to be provided for all private roads drainage to ensure the drainage functions as designed can be addressed by a planning condition. With this condition, together with constructing the access onto the A761 at right angles with appropriate drainage, the development is considered to accord with Policy 9 of the adopted Local Development Plan and Policy 10 of the proposed Local Development Plan.

Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan indicate development should not have an adverse impact on the efficient operation of the transport and active travel network. The development involves a single entrance/exit at part of the A761. There are other accesses and road junctions along this road and this development would not be out of this general context. The development may result in additional traffic when it is complete in terms of agricultural vehicles entering and leaving the site to carry out agricultural activities and tending to livestock. This traffic generation and its impact on the roads network is not considered to be significant and the Head of Service – Roads and Transportation has no objections in terms of traffic impact. The Head of Service – Roads and Transportation has advised it needs to be demonstrated that HGVs can turn in and out of the road from both directions. The applicant has submitted swept path drawings for a vehicle entering the site from the south and exiting the site to the north. A planning condition can be attached requiring additional swept path drawings relating to vehicles entering and leaving the site in both directions before any further construction work is carried out. A planning condition can also be attached relating to the visibility splays. With these planning conditions

the development is considered to comply with Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan.

Policy 15 of the adopted Local Development Plan and Policy 16 of the proposed Local Development Plan relate to soils and given the Landscape Character Types at the site the land would not be considered to be prime agricultural land. The area at the west part of the overall site is part of an area identified as Class 3 on the NatureScot Carbon and Peatlands Map (2016). This classification is described as predominantly peaty soil with some peat soil with the vegetation described as peatland with some heath. Class 3 is not nationally important carbon-rich soils, deep peat and priority peatland habitat or of high conservation value. Policy 16 of the proposed Local Development Plan indicates that where peat and carbon rich soils are present on an application site, a depth survey must be undertaken which demonstrates that areas of deep peat have been avoided as far as is possible. A peat management plan must also be produced, detailing mitigation measures which demonstrate that the unnecessary disturbance, degradation or erosion of peat will be avoided. The hardstanding area in particular could potentially impact on peat however as this area is not priority peatland and the hardsurfacing area is to be laid in top of the existing soil it is not considered that a survey is required for areas of deep peat.



View from interior of site looking east

There are a variety of ground conditions in the overall application site some of which have been modified through agricultural practices. There are however no international or national designations affecting the site. The west part of the overall site is identified as part of a Local Nature Conservation Site under Policy 33 of both the adopted and proposed Local Development Plans. This designation is a local non-statutory designation and is the Craigmearloch Wood Local Nature Conservation Site (LNCS) (No 14) that extends to 22.55 hectares. The LNCS designation also covers Craigmearloch Wood itself. The survey information from July 2017 indicates there are a variety of tree species in the mature plantation with the understorey dominated by bracken in and at the north edge there is gorse and relic heathland. The development is to occupy a limited part of the LNCS and given the relatively limited area of ground occupied by the development the impact on the habitat is not considered to be significant.

In terms of Policy 34 of proposed Local Development Plan the development does not include any prominent structures and is not significantly above the existing ground levels. The alignment of the roads generally follows the existing contours and landform and is not visually prominent or intrusive in the landscape. The tree planting that has been carried out on land to the north of the site will assist in screening the site on the approaches from the north along the

A761 when the trees grow and mature. The impact on the landscape is considered to be localised to the vicinity of the site and does therefore not conflict with Policy 34.



View from interior of site looking in a west direction

In terms of the representations received that have not been addressed above the following comments are made. It is noted that work has already started on some parts of the development however constructed work has not continued or been completed. The Town and Country Planning (Scotland) Act 1997 (as amended) allows for retrospective planning applications to be submitted and these still have to be assessed against the relevant policies of the development plan and any material planning considerations. An assessment of the visual impact of the development has been made above and this is considered to be acceptable at this location. The development not having shelter for cattle is not a material consideration in determining this application. If there has been contamination of the local watercourse this would have to be reported to SEPA to investigate separately under their remit. Should fly tipping occur in the future this will have to be reported to and investigated separately. There is no indication that the development is not to be completed as applied for.

This planning application does not request an exemption from a Waste Management Licence. Applications for Waste Management Licences or exemptions to these are made to and processed by SEPA. What has been submitted with this planning application is a letter from SEPA to the contractor who is constructing the development confirming an exemption from requiring a Waste Management Licence. It should be noted the contractor constructing the roads and hardstanding is not the applicant for planning permission. If there is any breach in the licence exemption it would be the responsibility of SEPA to investigate under their remit. Nearby residential properties are outwith the distance that requires neighbour notification to be carried out. Notwithstanding the application was advertised in the local press in accordance with the relevant planning legislation.

There are residential properties in the surrounding rural area which could potentially be affected by construction activity. It is not considered that the remaining construction or thereafter the use of the development for agricultural purposes when completed will result in significant noise disturbance to any properties in the surrounding area. The Head of Public Protection and Covid Recovery has no comments to make in relation to noise. Should there be any noise/disturbance during construction and subsequent use of the development this can be investigated separately by the Head of Public Protection and Covid Recovery to determine if there is a statutory noise nuisance.

With regard to the condition suggested by the Kilmacolm Civic Trust the advice issued by the Scottish Government on the use of planning conditions in Circular 4/1998 is that conditions are not to be used to cover every eventuality. Although conditions can be used to regulate an

approved development a condition as has been suggested would not be competent. The use of the hardstanding for any other purpose other than for agriculture would require planning permission. If the hardstanding was used to store waste material this would be a sui generis use and would require planning permission. In order for there to be a breach of planning control the breach would have to occur before deciding what action is appropriate and whether it is necessary to take planning enforcement action.

The condition recommended by the Head of Public Protection and Covid Recovery regarding survey for the presence of Japanese Knotweed can be addressed by a planning condition and in particular for the survey to be carried before any further construction work is carried out.

In conclusion, it is considered that the proposal is acceptable when assessed against Policies 1, 9, 11, 14, 15, 31, 33 and 24 of the adopted Local Development Plan as well as Policies 1, 10, 12, 15, 16, 31, 33, 34 and 25 of the proposed Local Development Plan. There are no material considerations that outweigh these policies.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. Construction of any part of the development shall not re-commence until details of a survey for the presence of Japanese Knotweed has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the survey shall contain a methodology and treatment statement where any is found and thereafter development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval in writing by the Planning Authority prior to implementation.
2. Construction of any part of the development shall not re-commence until tracking drawings to demonstrate that HGVs can turn in and out of the A761 Port Glasgow Road at the site entrance from both directions have been submitted to and approved in writing by the Planning Authority.
3. Following approval of Condition 2 above and no later than 4 months from that approval being given the entrance road from the A761 Port Glasgow Road shall be constructed in accordance with drawing 21-3773-C-011 (or if the design of the entrance has to be modified to address tracking for HGVs) unless an extended period is agreed in advance in writing by the Planning Authority.
4. For the avoidance of doubt: the site entrance road shall be a minimum of 5.0m wide for a distance of 20.0m from the edge of the A761 Port Glasgow Road; the access shall be paved for a minimum distance of 10.0m to prevent loose material being spilled on to the road; and the access shall have a maximum gradient of 10%.
5. Visibility splays of 2.4m x 120m x 1.05m shall be provided at the entrance to the site off the A761 Port Glasgow Road and thereafter kept free of obstruction in perpetuity.
6. For the avoidance of doubt all surface water shall be contained within the site.
7. Details of a maintenance regime shall be submitted within 2 months of the date of this permission for the approval in writing by the Planning Authority for all private roads drainage to ensure the drainage functions as designed.

Reasons:

1. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
2. In the interests of roads safety.

3. In the interests of roads safety.
4. In the interests of roads safety.
5. In the interests of roads safety.
6. In the interests of sustainable development and in order to avoid flooding.
7. In the interests of sustainable development and in order to avoid flooding.

Stuart Jamieson
Interim Director
Environment and Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Sean Mc Daid on 01475 712412.

Report To: The Planning Board

Date: 5 October 2022

Report By: Interim Director
Environment and Regeneration

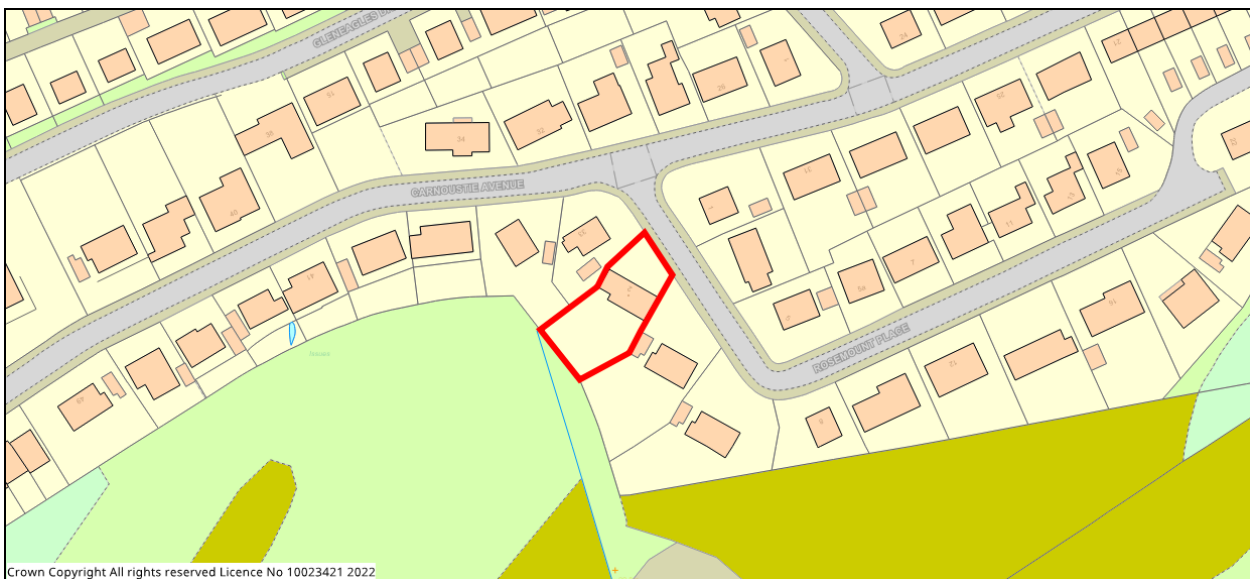
Report No: 22/0187/IC
Plan 10/22

Local Application
Development

Contact Officer: David Sinclair

Contact No: 01475 712436

Subject: Proposed 2no. dormers to front elevation. Proposed off street parking space complete with steps to raised deck at front entrance to house at 2 Rosemount Place, Gourock.



SUMMARY

- The proposal complies with the adopted and proposed Inverclyde Local Development Plan.
- Twelve representations have been received in support of the proposal.
- Six objections have been received raising concerns over noise, privacy, design, drainage, landscaping and road safety.
- The consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=RF9UZ8IMITA00>

SITE DESCRIPTION

The application site comprises a one and a half storey detached dwellinghouse located on the south-west side of Rosemount Place, Gourrock. The building is finished with reddish grey concrete tiles on the roof with a small front facing dormer window; red brick walls for the base course and part of the principal elevation; grey roughcast render for the remaining walls; white uPVC windows, doors and fasciae; and grey uPVC rainwater goods. The dwellinghouse contains a single storey flat roofed garage attached to the north-west side of the dwellinghouse, this is finished with matching red brick base course, grey render walls and a white steel garage door.

The site covers approximately 630 square metres and sits on a north-east facing slope, with gradients of approximately 1 in 8. The front garden contains a gravel driveway topped with two rows of concrete paving slabs in front of the garage and an access path that runs along the south side of the driveway up to the dwellinghouse. The house is raised above the adjoining ground to the front by around 0.7 metres and contains a raised stone entrance platform in front of the main entrance. The rest of the front garden is mostly covered with soft landscaping. An informal stone boundary runs along the front of the site.

The site adjoins a variety of one and a half and two storey detached residential properties to the north, east and south built as part of the same development. Gourrock Golf Course is located to the west.

PROPOSAL

It is proposed to form two additional dormers on the principal elevation roof and carry out a number of alterations to the front garden area. The two dormers are proposed to be positioned on each side of the existing dormer, with each dormer being separated by approximately 0.75 metres. The dormers are to contain octagonal bays with a hipped roof design which will be set approximately 0.95 metres below the roof ridge at the highest point. The dormers will each measure approximately 2.5 metres in width, with the eastern dormer being set back from the gable end by approximately 0.95 metres and the western dormer being set back from the gable end by approximately 1.6 metres. Both dormer faces are to be set behind the ground floor wall by approximately 0.2 metres. It is proposed to finish the dormer roof and cheeks with tiles that match the existing roof, install white uPVC windows and black uPVC fascia and rainwater goods.

Within the front garden area, it is proposed to install a raised deck directly in front of the dwellinghouse and form a new driveway on the south-east side of the existing driveway. The deck is to be positioned in front of the main entrance door, with the south-east side of the deck being set back from the south-east side elevation of the dwellinghouse by approximately 0.5 metres. The floor level of the deck is proposed to be positioned approximately 0.5 metres lower than the ground floor of the dwellinghouse, will measure 5.26 metres across and extend outwards from the principal elevation of the dwellinghouse by 1.8 metres. The deck is to be raised above the adjoining garden ground by no more than 0.6 metres.

A set of stairs is proposed to be installed between the deck and the driveway. The driveway is to measure between 3.9 and 4.7 metres in width and will provide a single parking space, measuring 5 metres in length by 3 metres in width. The installation of the driveway will require ground engineering works to be undertaken, with the existing ground being dug out by just over 0.9 metres to the rear of the driveway. A retaining wall is proposed to be installed around the sides and rear of the driveway. The driveway is proposed to have a gradient incline of 10% from the road and will contain a permeable paved surface.

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out

in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 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.

Planning Application Advice Notes (PAAN) 5 on “Outdoor Seating Areas” and **(PAAN) 6** on “Dormer Windows” apply.

PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 – Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing 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 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 20 – Residential Areas

Proposals for development within residential areas will be assessed with regard to their impact on the amenity, character and appearance of the area. Where relevant, assessment will include reference to the Council's Planning Application Advice Notes Supplementary Guidance.

Draft Planning Application Advice Notes (PAAN) 5 on “Outdoor Seating Areas” and **(PAAN) 6** on “Dormer Windows” apply.

CONSULTATIONS

Head of Service – Roads and Transportation – Advises as follows:

- Parking should be provided in accordance with the National Roads Development Guidelines. The existing dwelling has 4 bedrooms and the proposed dwelling with extension has 4 bedrooms therefore it does not require any additional parking.
- The minimum dimensions of the new driveway/parking space should be 3.0m wide by 5.0m long. There should also be a minimum of 0.9m path past these parking spaces where the driveway forms part of the pedestrian access to the property.
- The wall at either side of the parking space on to the footway should not be any higher than 0.5m for 1m.
- The new driveway/parking space to be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road.
- The new driveway/parking space should meet the road at 90 degrees.
- The gradient of the new driveway/parking space should not exceed 10%.

- The applicant shall demonstrate that they can achieve a visibility splay of 2.4m x 20.0m x 1.05m from the new driveway/parking space. This shall be agreed with Roads Service.
- All surface water should be managed within the site to prevent flooding to surrounding properties and the public road network.
- A Section 56 Agreement is required for the footway crossovers to the driveways.

PUBLICITY

The nature of the proposal did not require advertisement.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. 18 representations were received, 12 in support of the application and six objections from seven individuals.

The representations in support consider the proposal to be an improvement compared to the existing situation which enhances and improves the appearance of the area; that it would encourage a family with children to move to the street; that it reflects the surrounding houses in the area that have had dormer renovations and extensions; and that the increase in off-street parking would keep more cars off the road.

Concerns raised in the objections are summarised as follows:

Amenity concerns

- Overpowering decking at the front looks directly into neighbouring windows, causing an invasion of privacy. Blinds would have to be closed permanently which would block out daylight.
- The proposed dormers and increase in depth of the lounge window will increase overlooking of neighbouring properties.
- Concerns over front amenity spaces being overlooked.
- Noise concerns from people socialising on decking and cars parking.
- Concerns about the additional off-street parking being used for commercial purposes which could impact on noise and access.
- The front garden will look like a car park detracting from the visual amenity of the street scene.

Design concerns

- Concerns over the aesthetics of the proposal not being in character with other houses.
- The existing layout of the front gardens on this side of Rosemount Place is uniform in nature and designed to make the area look as attractive as possible. The proposed development would involve a radical change in appearance from soft landscaping to predominantly brickwork and wooden decking which does not reflect the general surroundings and would have a detrimental effect on the area's appearance.
- 2 Rosemount Place is set at an angle and elevated making it appear prominent in the street. Two large front dormer windows will give an overbearing appearance and destroy the existing character of the house and street.
- Concerns over the visual impacts of a modern deck, balustrade and stairs on the design of the existing house and on the street scene.

Drainage concerns

- Concerns over the effect of extensive excavation work on surface water drainage in the area, given the proximity of water courses to the site.

- Concerns over the excavation causing a disturbance to underground water courses and impacts on neighbouring properties.
- Concerns over surface water run-off when soil is replaced with brickwork and decking and the effectiveness of permeable paving.
- The hard landscaping will cause flooding at Rosemount Place. There have been issues with heavy rainfall not being absorbed due to lack of foliage/greenery.

Ecological concerns

- Any 'green' benefits from providing electric charging would be negated by the proposal to remove a large section of natural garden.
- Concerns over loss of soft landscaping and trees and the proposals resulting in increased hard landscaping.

Traffic and road safety concerns

- Concerns over road safety from vehicles parked in the parking space obstructing visibility from neighbouring driveways.
- Objections over disturbance and inconvenience to neighbouring residents during construction works, particularly impacts on traffic from parked construction vehicles and construction vehicles blocking neighbouring driveways.

ASSESSMENT

The material considerations in determination of this application are the adopted Inverclyde Local Development Plan (LDP); the proposed Inverclyde Local Development Plan (LDP); Planning Application Advice Notes (PAAN) 5 on "Outdoor Seating Areas" and (PAAN) 6 on "Dormer Windows"; Draft Planning Application Advice Notes (PAAN) 5 on "Outdoor Seating Areas" and (PAAN) 6 on "Dormer Windows"; the consultation response; and the representations received.

The LDP locates the application site within an established residential area where Policies 1 of the adopted LDP and Policies 1 and 20 of the proposed LDP apply. Policy 1 of both LDPs requires all development to have regard to the six qualities of successful places and the relevant Planning Application Advice Notes, of which the adopted and draft PAANs 5 and 6 are applicable. The relevant qualities to this proposal are being 'Distinctive' and 'Safe and Pleasant'. In the adopted LDP, the relevant factor to be considered 'Distinctive' is whether the proposal reflects local architecture and urban form. In the proposal LDP, the relevant factors to be considered 'Distinctive' are whether the proposal respects landscape setting and character, and urban form; and reflects local vernacular/architecture and materials. The relevant factors of being 'Safe and Pleasant' in both LDPs are whether the proposal avoids conflict with adjacent uses and minimises the impact of traffic and parking on the street scene. Policy 20 of the proposed LDP requires the proposal to be assessed with regard to its potential impacts on the amenity, character and appearance of the area.

The proposal is for development within the front garden and on the principal elevation of the dwellinghouse. In considering the impacts on urban form and the character and appearance of the surrounding area, I note the concerns raised over the extent of hard surfacing, loss of a soft landscaped frontage and the loss of trees in the front garden area. The trees removed were ornamental trees not located within a Tree Preservation Order (TPO) area and considered to be of low ecological value. The front curtilage currently covers an area of around 141.8 square metres, of which around 80.6 square metres is covered with hard surfacing in the form of the existing driveway and paved access paths. The proposed drawings indicate that the area covered by hard standing is to be increased by approximately 8.3 square metres to around 88.9 square metres. I consider this increase does not result in a significant loss of soft landscaping or result in overdevelopment of the front curtilage. The proposal can be considered to have acceptable regard to the urban form and character of the surrounding area.

In assessing the impacts of the proposed deck on the character and appearance of the building and on neighbouring amenity (Policy 20 of the proposed LDP), the impacts primarily relate to

the appearance of the construction, possible activity and noise and any implications for privacy. I note the concerns raised in the representations received over these matters and will consider them against the guidance given in both PAAN 5s on “Outdoor Seating Areas”.

Firstly, in considering the appearance of construction, both PAAN 5s state that the design and position shall be appropriate to the architectural design of the house. The deck is to be positioned in front of the dwellinghouse and will form a feature which is visible from the public realm. I note that the dwellinghouse currently contains a smaller raised platform which provides a means of access to the main dwellinghouse, with a ground level footpath around the entrance platform. The deck is proposed to project a similar distance from the front of the dwellinghouse as the paved path which goes around the front of the existing entrance, leaving between 4.5 and 7 metres of garden space between the deck and the front boundary. In considering the impacts on the dwellinghouse, I note that the deck is to be positioned approximately half a metre lower than the ground floor of the dwellinghouse. It is also to be constructed with facing brick walls, which match the brick base course seen along the front elevation of the dwellinghouse and can be considered an appropriate choice of material. The use of a glazed balustrade is considered appropriate for providing a balustrade that reduces the visual impact of the deck on the building. Overall I consider the design of the deck to have an acceptable impact on the architectural design of the house.



View of the front of the property from Rosemount Place.

In considering possible activity and noise, I note the concerns raised over noise from persons socialising on the deck. Both PAAN 5s state that if raised more than 0.5 metres above the original ground levels, decking should not be of a size that will afford residents the opportunity of undertaking a wide range of activities over extensive periods of day and evening to the extent that regular and/or continuous activity may impinge upon the enjoyment of neighbouring gardens. At just under 9.5 square metres, the deck can be considered an acceptable size to afford limited seating for a family to enjoy good weather and is not of a scale which would afford the opportunity of undertaking a wide range of activities over extensive periods throughout the day and evening. Whilst I note the concerns raised over this matter, I consider that the proposed deck would be unlikely to result in an unacceptable level of noise and disturbance which would impinge upon the enjoyment of neighbouring gardens.

In considering implications for privacy, I note the concerns raised over impacts of the deck on neighbouring privacy. The proposed deck is to be located within the front garden area and does not afford a view into any neighbouring private/rear garden areas. All garden areas that are

visible from the proposed deck are also visible to the public realm. As the decking does not overlook any neighbouring private/rear garden areas, it can be considered acceptable in this instance for privacy screening to not be provided. Regarding the concerns raised in the representations over persons on the deck causing an invasion of privacy to neighbouring windows, the deck is to be positioned approximately 22 metres from the nearest neighbouring window that is visible from the deck. I note that all of the windows which will be visible from the deck are currently visible from the front garden. Furthermore, I note that the deck is set back further than the 18 metre minimum distance required in the Council's Supplementary Guidance on window to window intervisibility for windows that face directly onto each other. While I note the concerns raised over an invasion of privacy in this regard, the deck is considered to be a sufficient distance from neighbouring windows to not increase or intensify overlooking. Based on the above assessment, I consider the deck to be in accordance with both PAAN 5s.

In assessing the dormer windows proposed, I note the concerns raised in the objections over the impacts of the dormers on the street and overlooking concerns and shall consider these against the guidance in both PAAN 6s.



View of the front garden area from the top of the existing driveway.

Both PAAN 6s state that dormers should be located at the rear of the house and be subordinate to the existing roof by being set back from the wall head, gable ends and below the ridge line. The proposed dormers accord with the guidance through being set back from the wall head, gable ends and below the ridge line; only not being in accordance with the guidance through the virtue of being on the principal elevation. I note, however, that there is an existing front dormer on the building and that front facing dormers are an established feature throughout the area, with various examples seen at 4, 5, 6 and 14 Rosemount Place and at 23, 25, 26 and 27 Carnoustie Avenue. I consider that the principle of siting two new dormers on the principal elevation would be compatible with the character of the area. Both PAAN 6s state that on a building of traditional design, a pitched or sloping roof over each dormer should reflect the architectural style of the building. The proposed dormers will contain pitched roofs which match the design of the dormers currently seen on the front and rear elevations of at 5 Rosemount Place, which are visible from the public realm and can be seen from in front of the applicant's

dwellinghouse. Visually, the dormer design can be considered acceptable with regard to the architectural style of the building.

In considering the visual appearance of the dormers, both PAAN 6s state that exposed fascia boarding should be used sparingly and should be painted to match the dormer faces rather than the window frames; external cladding should be similar to the original roof; dormers on the hipped gable of a roof should be avoided; and the window openings should, where practical, follow the style, proportion and alignment of door and window openings in the existing house. The drawings indicate that the external cladding will be tiled to match the existing roof and the dormers are not positioned on a hipped gable. The use of fascia boarding appears to be limited in size and is proposed to be finished with black uPVC, which will appear closer in finish to the grey roof tiles proposed for the dormer faces than to the white window frames proposed and as such, can be considered acceptable.

Regarding the window openings, I note there are various window designs on the existing dwellinghouse and on neighbouring dwellings. The existing dwelling contains an asymmetrical frontage, with an offset entrance door with brick wall on one side and a long window opening with two windows of differing widths and glazing designs on the other. As such there is not an established window design on the building in terms of style, proportions or alignment. The use of matching dormer windows equally spaced relative to the existing dormer will provide a balanced appearance to the roof. I consider the windows to be acceptable in terms of style, proportion and position on the dwellinghouse. Based on the above assessment, I consider the proposal to be acceptable with regard to both PAAN 6s.

Turning to the concerns of overlooking from the dormers raised in the representations received, the south-east dormer is to be positioned approximately 24.2 metres from the closest window at 1 Rosemount Place at offset angles of 80 and 60 degrees and approximately 24.5 metres from the closest window at 3 Rosemount Place at offset angles of 60 and 80 degrees. For windows at these angles, the minimum window to window distance identified in the Council's Supplementary Guidance is 13 metres. The north-west dormer is to be positioned approximately 26.9 metres from the closest window at 1 Rosemount Place at offset angles of 80 degrees and approximately 29.6 metres from the closest window at 3 Rosemount Place at offset angles of 50 and 80 degrees. The minimum window to window distance for the window at 1 Rosemount Place is 18 metres and for the window at 3 Rosemount Place is 9 metres. The proposal comfortably exceeds all of the distances identified. Furthermore, the dormers are to be located on the principal elevation of the building and are not afforded a view into any private/rear garden areas. It stands that the proposed dormers will not result in unacceptable levels of overlooking on any neighbouring properties which would be to the detriment of neighbouring amenity.

In considering the impacts of the proposal on traffic and parking on the street scene and whether the proposal meets the quality of being 'Safe and Pleasant', I turn to the consultation response from the Head of Service – Roads and Transportation. She offers no objections to the proposal in terms of impacts on traffic management and parking. The drawings submitted demonstrate that the proposed parking space meets the dimensions advised for the parking space and pedestrian access. While I note the drawings indicate that the gradient advised will be achieved, I consider it prudent to secure this by condition to ensure the parking space can be easily accessed. The driveway is to be paved and therefore does not raise concerns over loose material being spilled onto the footway. Regarding the comments on visibility splays, the applicant has demonstrated this can be achieved to accord with the advice from the Head of Service – Roads and Transportation and has provided updated drawings confirming that the driveway will be positioned at 90 degrees to the road. In considering the close proximity of the parking space to the adjoining driveway, I concur with the advice given to require a height restriction on any front boundary walls. This matter can be secured by condition to ensure the proposal does not interfere with visibility splays from neighbouring driveways.

Regarding the impacts of the proposal on surface water and drainage, I note the concerns raised in the objections over the potential impacts of excavation and hard surfacing on surface water drainage and possible disturbance to underground water courses. The Head of Service – Roads and Transportation, within her capacity as Flooding Officer, offers no objections to the

proposal in this regard, however has requested a condition be placed on the granting of any consent for all surface water to be contained and managed within the site. I am content that the requirement relating to the containment of surface water within the site can be satisfactorily controlled by an appropriately worded condition.

Overall, the proposal will result in an additional car parking space off the road and the overall aims of the Council's roads guidance is met. The requirement for a Section 56 Agreement to be obtained is to be addressed by the Head of Service – Roads and Transportation via separate legislation and is not a material consideration to this application. It stands that the proposal is in accordance with Policy 11 of the adopted LDP and Policy 12 of the proposed LDP.

I am satisfied that the provision of an additional parking space will alleviate parking pressures and safety concerns on the street which parked and manoeuvring vehicles currently present at this location, minimising the impact of traffic and parking on the street scene. I consider that the proposal can be implemented without resulting in an unacceptable impact on neighbouring amenity in terms of noise; smell; vibration; dust; air quality; flooding; invasion of privacy; or overshadowing and as such, it can be considered to meet the quality of being 'Safe and Pleasant' in Policy 1 of both LDPs. The proposal will also provide a separate pedestrian access for residents to the building, thus satisfying the quality of being 'Welcoming'. It stands that the proposal is in accordance with all relevant qualities of successful places and therefore accords with Policy 1 of both LDPs.

In view of the above assessment, I am content that the proposal will not adversely impact on the character, appearance or amenity of the area and therefore is in accordance with Policy 20 of the proposed LDP. Furthermore, I am satisfied that the proposal meets all relevant factors to be considered 'Distinctive' and meets all relevant qualities to accord with Policy 1 of both LDPs.

Turning to concerns raised in the representations not yet addressed, matters relating to inconvenience during construction works from parked construction vehicles blocking driveways are not material planning considerations. Any vehicles causing an obstruction or parked inappropriately would have to be reported separately to Police Scotland. In terms of potential disturbance during construction, working hours for building works are more appropriately controlled under legislation monitored by the Council's Environmental and Public Protection Service and are not a material planning consideration. The concerns raised over the parking space being used for commercial purposes are speculative in nature and cannot be considered as material to this application. Any non-residential uses that should occur as a result of the development would require to be investigated as a separate matter.

In conclusion, the proposal is in accordance with Policies 1 and 11 of the adopted LDP and Policies 1, 12 and 20 of the proposed LDP. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications are determined in accordance with the Local Development Plan unless material considerations indicate otherwise. As the proposal accords with all relevant Plan Policies and there are no material considerations which would warrant refusal of the application, planning permission should be granted subject to conditions.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. The development to which this permission relates must be begun within 3 years from the date of this permission.
2. For the avoidance of doubt, the driveway gradient shall not exceed 10%.
3. For the avoidance of doubt, the wall at either side of the parking space shall not exceed 0.5 metres in height where it is positioned within 1 metre of the footway.
4. For the avoidance of doubt, all surface water run-off shall be contained and managed within the site.

5. The visibility splays shown in drawing number 22018_D.011, Revision B shall be kept clear of obstruction at all times in conjunction with the parking space hereby permitted being in place.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. To ensure the provision of adequate driveways.
3. To ensure that visibility splays are maintained in the interests of road and pedestrian safety.
4. To ensure the development does not increase the risk of flooding to neighbouring properties or to the public road network.
5. To ensure that visibility splays are maintained in the interests of road and pedestrian safety.

Stuart W. Jamieson
Interim Director
Environment and Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Sinclair on 01475 712436.