

LOCAL REVIEW BODY

3 MAY 2023

PLANNING APPLICATION FOR REVIEW

MR G SCOTT

**NEW BUILD, 2 BEDROOM, ONE STOREY DETACHED HOUSE (FRONTING MEWS LANE) WITH ASSOCIATED HARD AND SOFT LANDSCAPING
92 NEWARK STREET, GREENOCK (22/0203/IC)**

Contents

- 1. Planning Application dated 12 August 2022 together with Location Plan and Existing and Proposed Plans and Elevations**
- 2. Planning Application – Supporting Statement from Quigley Architects**
- 3. Appointed Officer’s Report of Handling dated 11 November 2022**
- 4. Inverclyde Local Development Plan 2019 Policy Extracts**

To view the Inverclyde Local Development Plan see:

<https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/ldp>

- 5. Inverclyde Local Development Plan 2019 Map Extract**
- 6. Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notes Policy Extracts**
- 7. Scottish Planning Policy**
- 8. National Planning Framework 4 Policy Extracts**
- 9. Historic Environment Scotland – Managing Change in the Historic Environment Guidance Note on Setting**
- 10. Historic Environment Scotland - Historic Environment Policy for Scotland**
- 11. Greenock West End Conservation Area Appraisal**
- 12. Representations in relation to Planning Application**
- 13. Decision Notice dated 2 December 2022 issued by Head of Regeneration & Planning**
- 14. Notice of Review form dated 1 March 2023 with Supporting Statement from Quigley Architects**
- 15. Further Representation**
- 16. Submission by Quigley Architects in response to Further Representation**
- 17. Suggested Conditions should Planning Permission be granted on Review**

Note: Inverclyde Proposed Local Development Plan 2021 has been attached to the rear of the agenda papers as supplementary content.

1. PLANNING APPLICATION DATED 12 AUGUST 2022 TOGETHER WITH LOCATION PLAN AND EXISTING AND PROPOSED PLANS AND ELEVATIONS

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100588620-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping at

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Quigley Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Graeme	Building Name:	The Mews
Last Name: *	Quigley	Building Number:	22
Telephone Number: *	01475 724639	Address 1 (Street): *	Forsyth Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Greenock
Fax Number:		Country: *	Scotland
		Postcode: *	PA16 8DT
Email Address: *	info@quigleyarchitects.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	G.	Building Number:	92
Last Name: *	Scott	Address 1 (Street): *	Newark Street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Greenock
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA16 7TG
Fax Number:			
Email Address: *	natalia@quigleyarchitects.co.uk		

Site Address Details

Planning Authority:

Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:

92 NEWARK STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GREENOCK

Post Code:

PA16 7TG

Please identify/describe the location of the site or sites

Northing

677584

Easting

226209

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

462.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

A vacant garden area at the bottom of 92 Newark Street, meeting Mews Lane

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Please see submitted plans for waste details.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Graeme Quigley

On behalf of: Mr G. Scott

Date: 26/07/2022

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|---|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

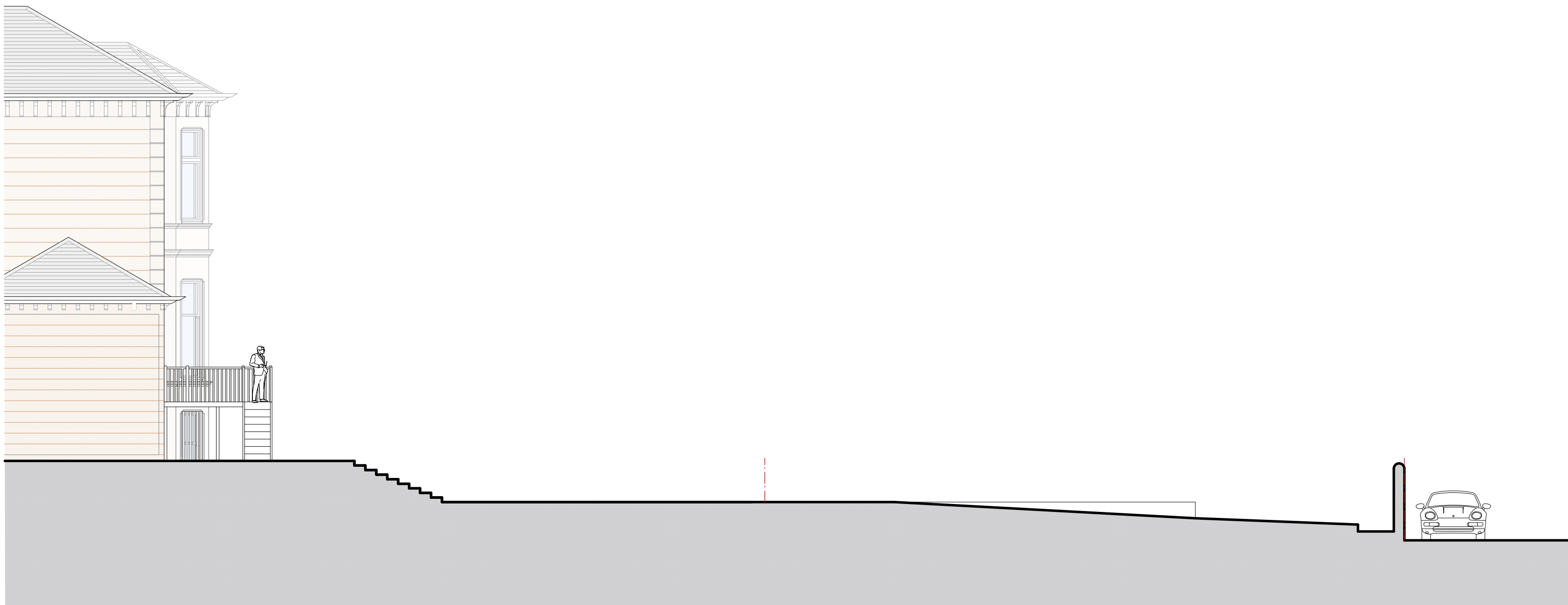
I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Graeme Quigley

Declaration Date: 12/08/2022



north east elevation



south east elevation

GENERAL NOTES.

1.1 - All works to be carried out in accordance with current (per date of this drawing or latest drawing revision) BUILDING (SCOTLAND) REGULATIONS, Codes of Procedure, Health and Safety and CDM Regulations 2007 Legislation (where applicable).

1.2 - All materials and products to be new unless otherwise stated and to be in accordance with all relevant British Standards and fixed/used only for their intended purpose to manufacturer's written or printed instructions. Alternative products to those specified must not be used unless with written consent of the ARCHITECT.

1.3 - The Contractor is responsible for the location of existing services on site and for maintaining supply as required during the contract period.

1.4 - All dimensions to be checked on site by the Contractor prior to commencement of works and ordering of materials and any discrepancies MUST be reported to the ARCHITECT.

1.5 - Figured dimensions only to be used from these drawings unless otherwise stated. All dimensions are in millimetres.

1.6 - All Electrical Works to be carried out and located in strict accordance with STANDARD 4.5 (BS 7671:2011 IEE Wiring Regulations 17th Edition), STANDARD 4.6 and 4.8.5. All electrical cabling in contact with insulation on external walls to be enclosed in conduit. Electrical contractor to be SELECT or NICEIC approved.

1.7 - All timber to be pre-treated and all ends to be treated using indicator treatment.

1.8 - See appointed Structural Engineer's drawings for opening details and all relevant structural materials.

1.9 - All ventilation to be in accordance with CIBSE Guide Section B2 and in full conformity with STANDARD 3.14 BUILDING (SCOTLAND) REGULATIONS 2010.

1.10 - All structural members throughout new construction to receive fire protection in strict accordance with technical standard 2.3 (fire protection). Intumescent paint applied to all steelwork providing 60mins fire resistance where required & 60mins fire resistance to all structural/loadbearing timber walls. Layer plasterboard finish to comply.

1.11 - All glazing to conform to STANDARD 4.8.2 (Collision with glazing), BS 6262: Part 4: 2005, STANDARD 4.8.3 (Cleaning of windows and rooflights) & STANDARD 4.8.4 (Guarding of windows for cleaning), BS 6180: 1999.

1.12 - All rooms where changing purpose to comply with all ventilation requirements regarding STANDARD 3.14 BUILDING (SCOTLAND) REGULATIONS 2010.

1.13 - Leadwork to be laid in accordance with BS 5250 and 6229, BSEN 12588:2006 and as per the details in 'Rolled Lead Sheet The Complete Manual' produced by the Lead Sheet Association. Contractor to ensure timbers, substrate, underlay and insulation to dormer to be kept dry and
THIS IS THE ORIGINAL/TRUE COPY OF THE DRAWING REFERRED TO IN THE APPLICATION FOR PLANNING PERMISSION AND SHALL BE USED FOR THE PREVENTION OF BUILDING DETERIORATION.

DATED.....

SIGNED.....

QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Client Amendments	23.07.22
A.	General Amendments	23.07.19

Project. Proposed Development @
92 Newark Street
Greenock

Client. Mr & Mrs Scott

Title. Elevations as existing

Drng. No. 1729/AL(0)04 **Date.** 20.03.19

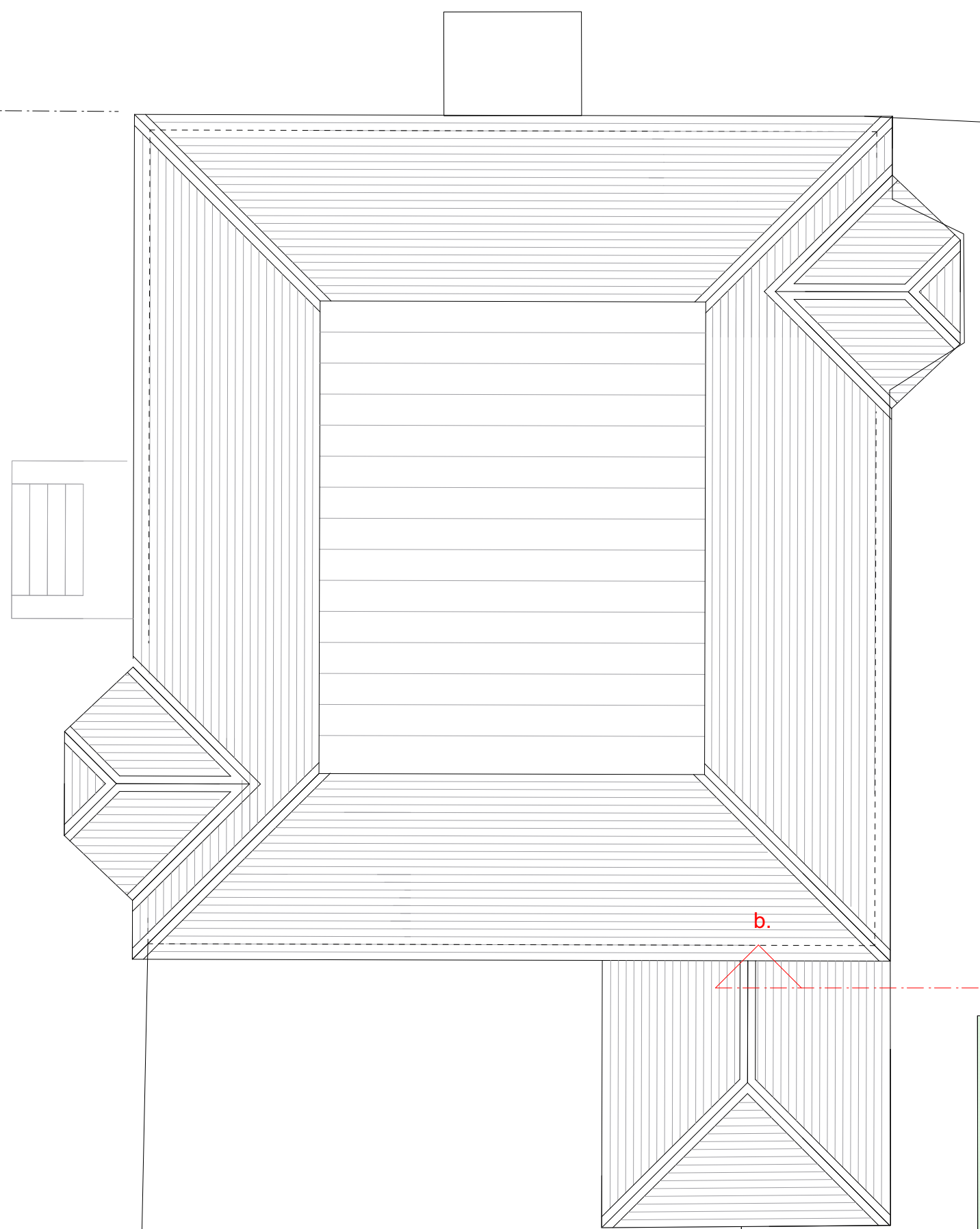
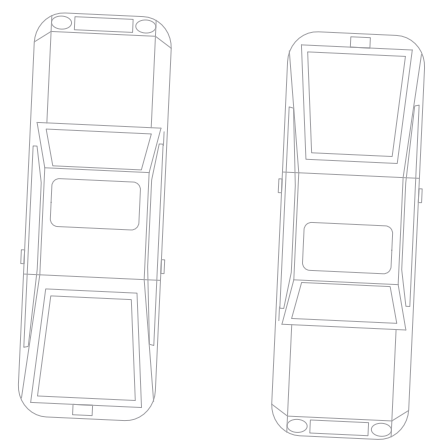
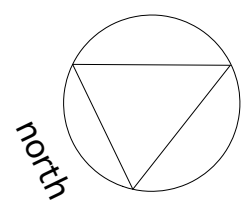
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quigley
ARCHITECTS

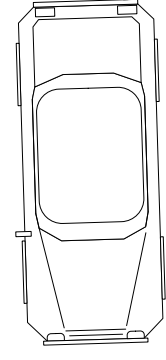
T. 01475 724639
E. info@quigleyarchitects.co.uk
W. www.quigleyarchitects.co.uk

The Mews, 22 Forsyth Street, Greenock PA16 8DT

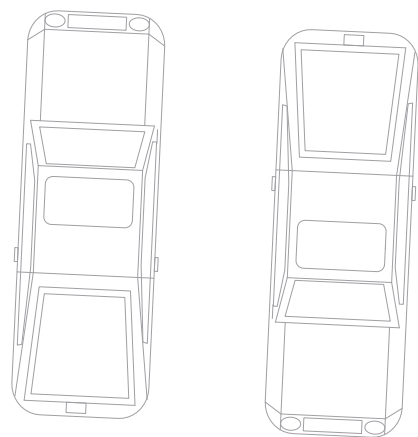
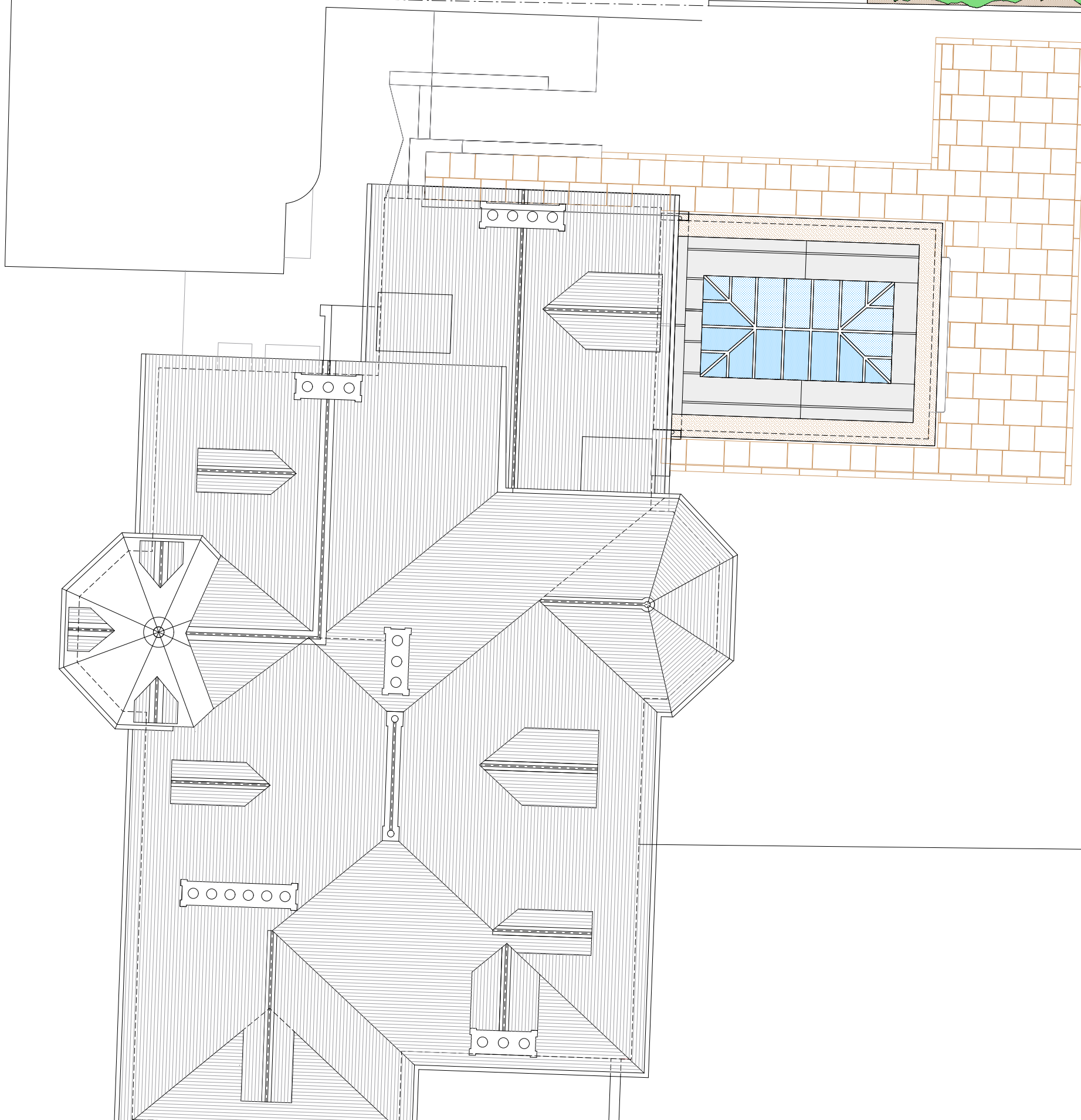
NEWARK STREET



MEWS LANE



WESTFIELD DRIVE



roof plan

GENERAL NOTES.

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- 1.8 - See appointed Structural Engineer's drawings for opening details and all relevant structural materials.
- 1.9 - All ventilation to be in accordance with CIBSE Guide Section B2 and in full conformity with STANDARD 3.14 BUILDING (SCOTLAND) REGULATIONS 2010.
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- 1.13 - Leadwork to be laid in accordance with BS 5250 and 6229, BSEN 12588:2006 and as per the details in 'Rolled Lead Sheet: The Complete Manual' produced by the Lead Sheet Association. Contractor to ensure timbers, substrate, underlay and insulation to dormer to be kept dry and protected from the elements during construction to prevent material deterioration.

THIS IS THE ORIGINAL/TRUE COPY OF THE DRAWING REFERRED TO IN THE APPLICATION FOR PLANNING / BUILDING WARRANT

DATED: _____
SIGNED: _____
QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
C.	Client Amendments	12.08.22
B.	General Amendments	16.07.19
A.	General Amendments	11.04.19

Project: Proposed Development @ 92 Newark Street Greenock

Client: Mr & Mrs Scott

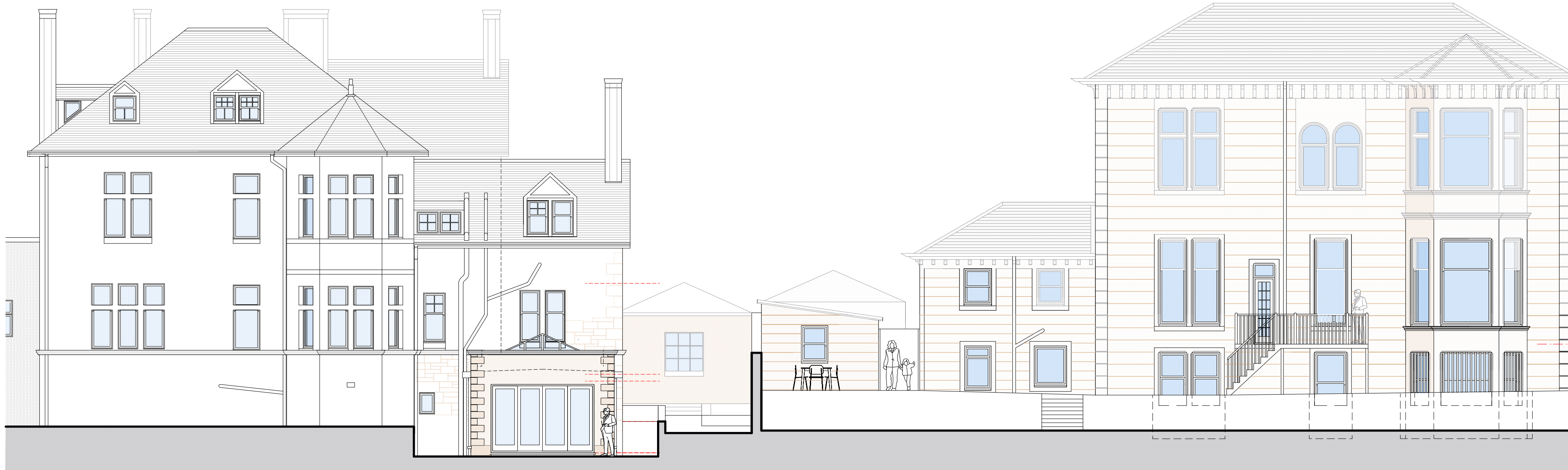
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Drg. No. 1729/AL(0)03 Date: 04.03.19

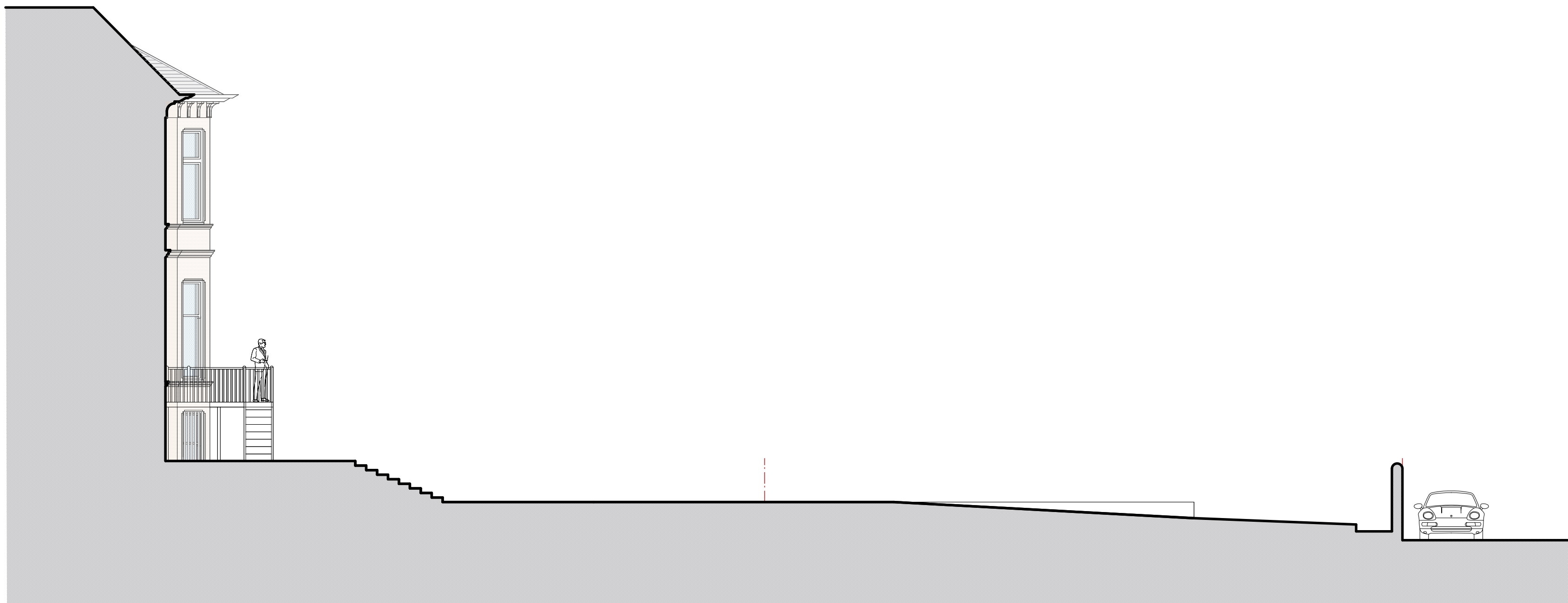
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The Mews, 22 Forsyth Street, Greenock PA16 8DT



section aa



section bb

GENERAL NOTES.

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DATED.....

SIGNED.....

QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
A.	Client Amendments	29.07.22

Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

Title. Sections as existing

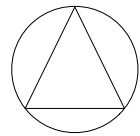
Drg. No. 1729/ AL(O)05 **Date.** 25.03.19

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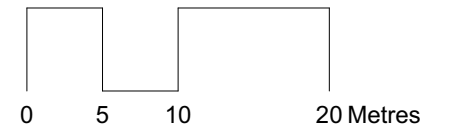
quigley
1968
ARCHITECTS

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W. www.quigleyarchitects.co.uk

The Mews, 22 Forsyth Street, Greenock PA16 8DT



north



scale

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BUILDING WARRANT

DATED.....

SIGNED.....

QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Client Amendments	30.07.22
A.	Survey Added	04.03.19

Project. Proposed Development @
92 Newark Street
Greenock

Client. Mr & Mrs Scott

Title. Site Plan as
existing

Drg. No. 1729/
AL(0)02 **Date.** 28.02.19

Scale. 1:500 **Drawn.** GQ



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W. www.quigleyarchitects.co.uk

The Mews, 22 Forsyth Street, Greenock PA16 8DT

site plan

226154

226200

226296

677641

677641

677600

677600

677515

677515

226154

226200

226296



98
100

92
94

88
90

86

82
84

99

89

170

28.6m

Letter Box

MEWS LANE

WESTFIELD DRIVE

NEWARK STREET

8

3

building plot
(456m²)

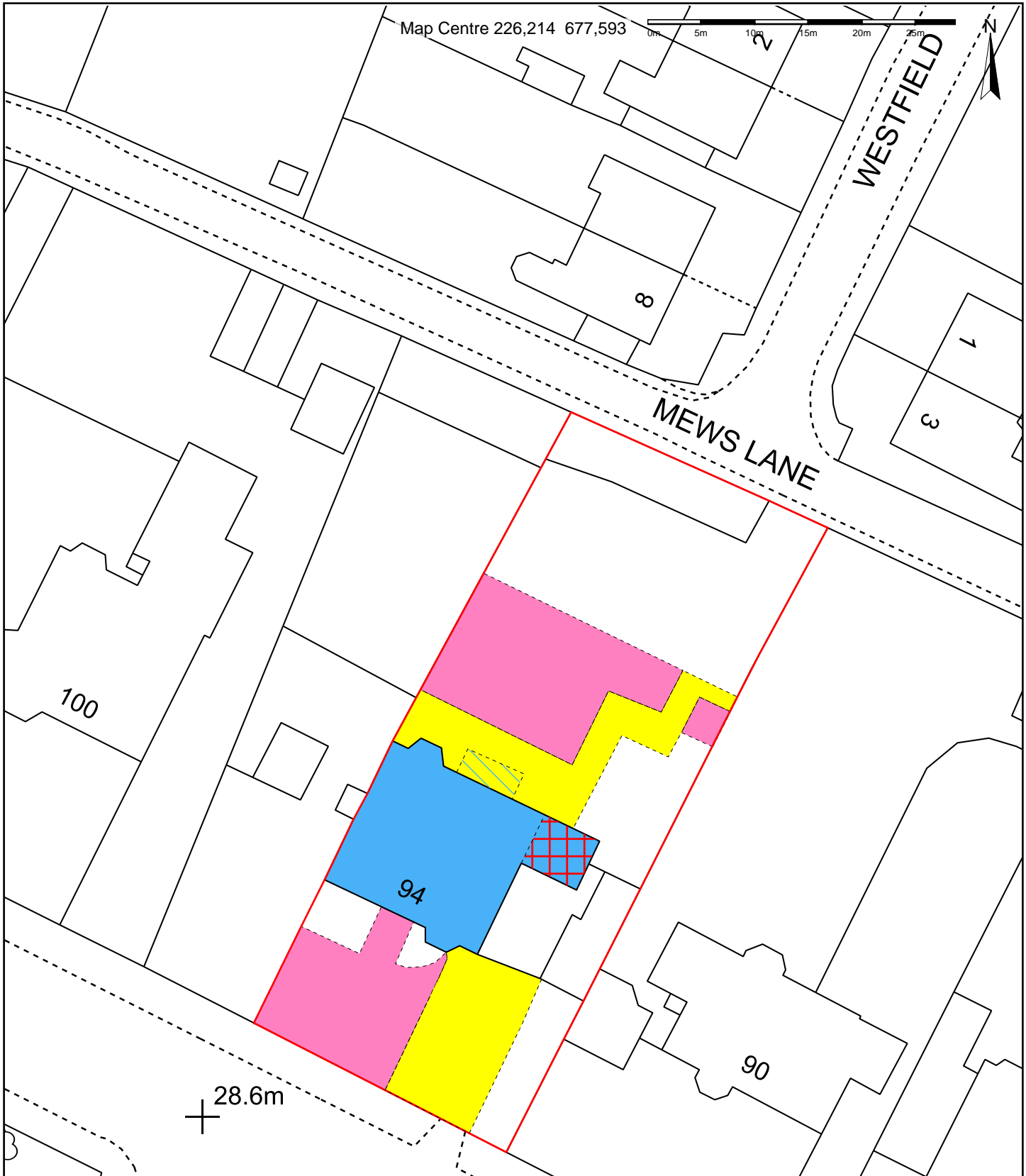
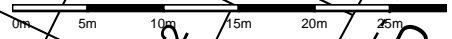
garden
(476m²)

house
(353m²)

courtyard
(61m²)

driveway
(404m²)

Map Centre 226,214 677,593



28.6m

Letter Box



Ross Lornie & Co Ltd
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e. searches@lornies.co.uk

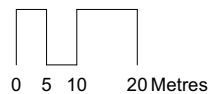
92 Newark Street,
Greenock,
PA16 7TG

Scale: 1:500 @A4
Drawn By: LC

Date: 19 Feb 20
Dwg no 137157



application site



scale

location plan

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QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
A.	Client Amendments	12.08.22

Project. Proposed Development @
 92 Newark Street
 Greenock

Client. Mr & Mrs Scott

Title. Location Plan

Drg. No. 1729/ AL(0)01 **Date.** 28.02.19

Scale. 1:1250 **Drawn.** GQ

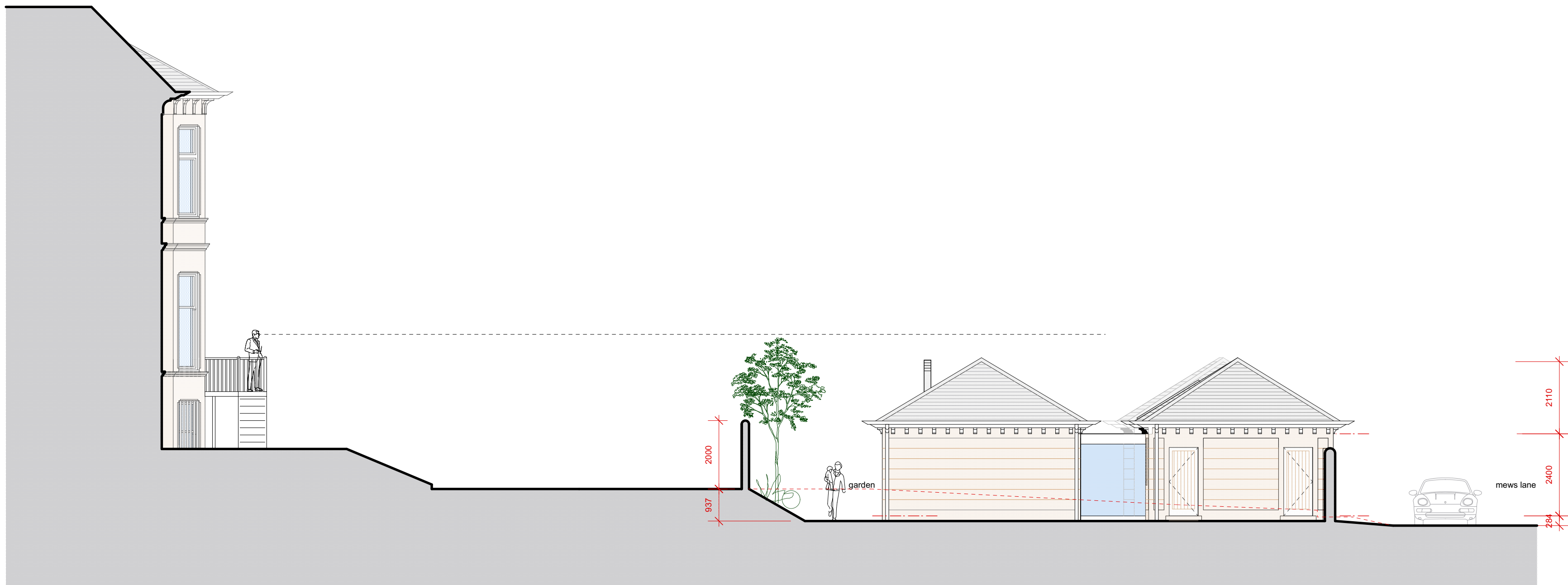


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The Mews, 22 Forsyth Street, Greenock PA16 8DT



north east elevation



south east elevation

GENERAL NOTES.

- 1.1 - All works to be carried out in accordance with current (per date of this drawing or latest drawing revision) BUILDING (SCOTLAND) REGULATIONS, Codes of Procedure, Health and Safety and CDM Regulations 2007 Legislation (where applicable).
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Rev	Description	Date
B.	Planning Amendments	10.08.22
A.	Planning Amendments	01.04.20

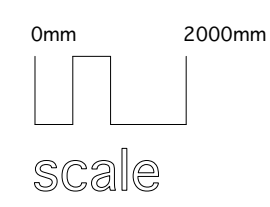
Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

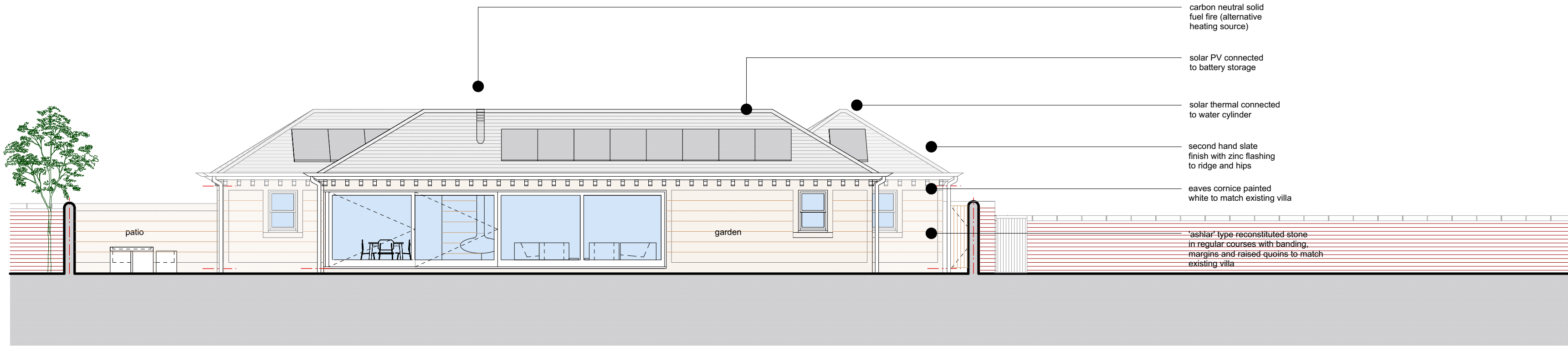
Title. Elevations as proposed

Drg. No. 1729/ AL(0)10 **Date.** 19.07.19

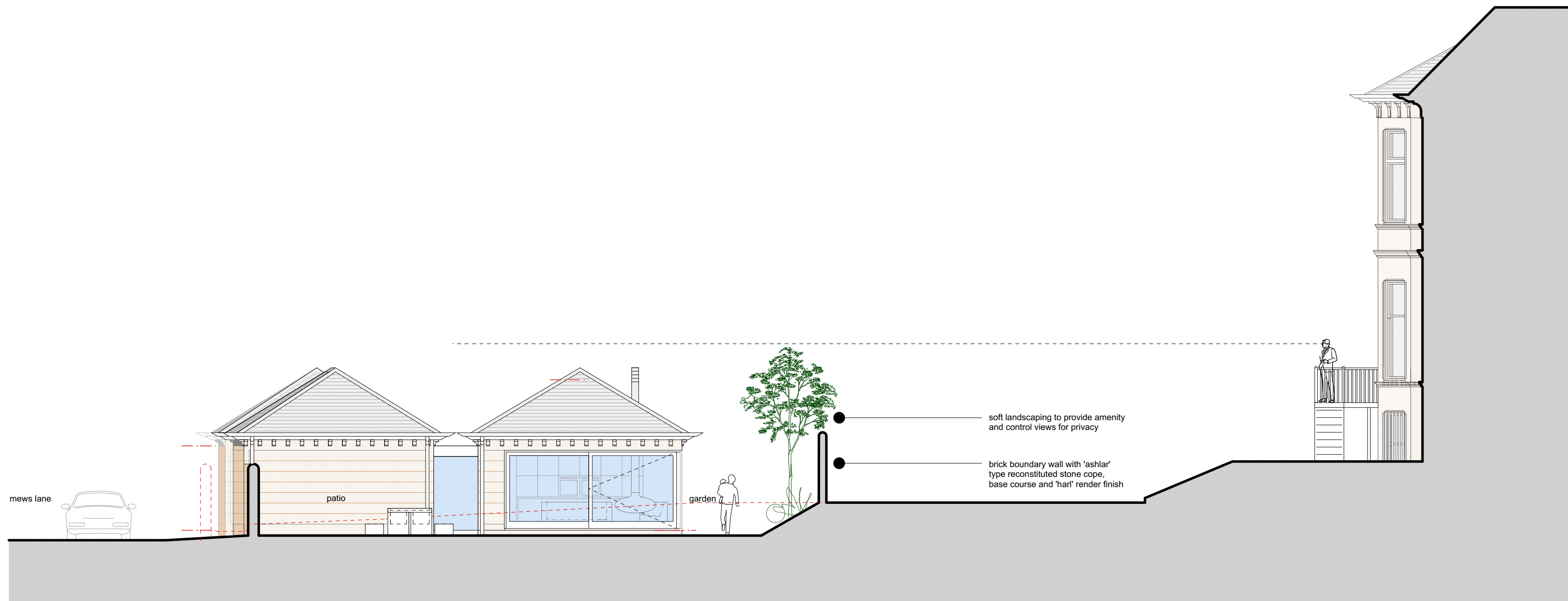
Scale. 1:100 **Drawn.** GQ



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south west elevation



north west elevation

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Rev	Description	Date
B.	Planning Amendments	09.08.22
A.	Planning Amendments	30.03.20

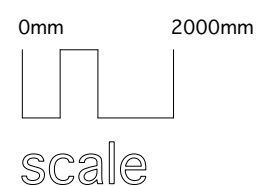
Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

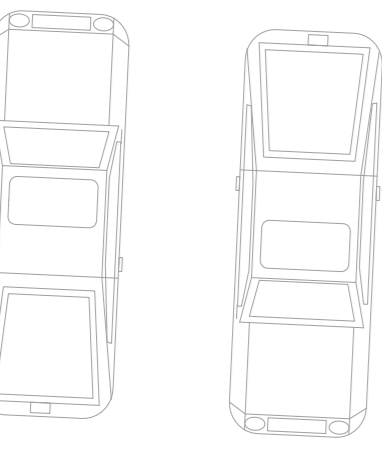
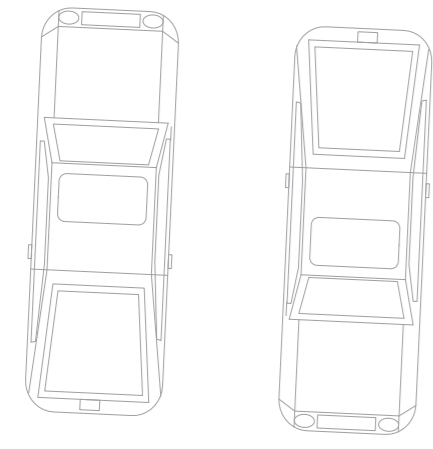
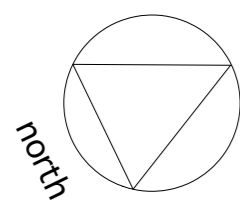
Title. Elevations as proposed

Drg. No. 1729/AL(0)11 **Date.** 19.07.19

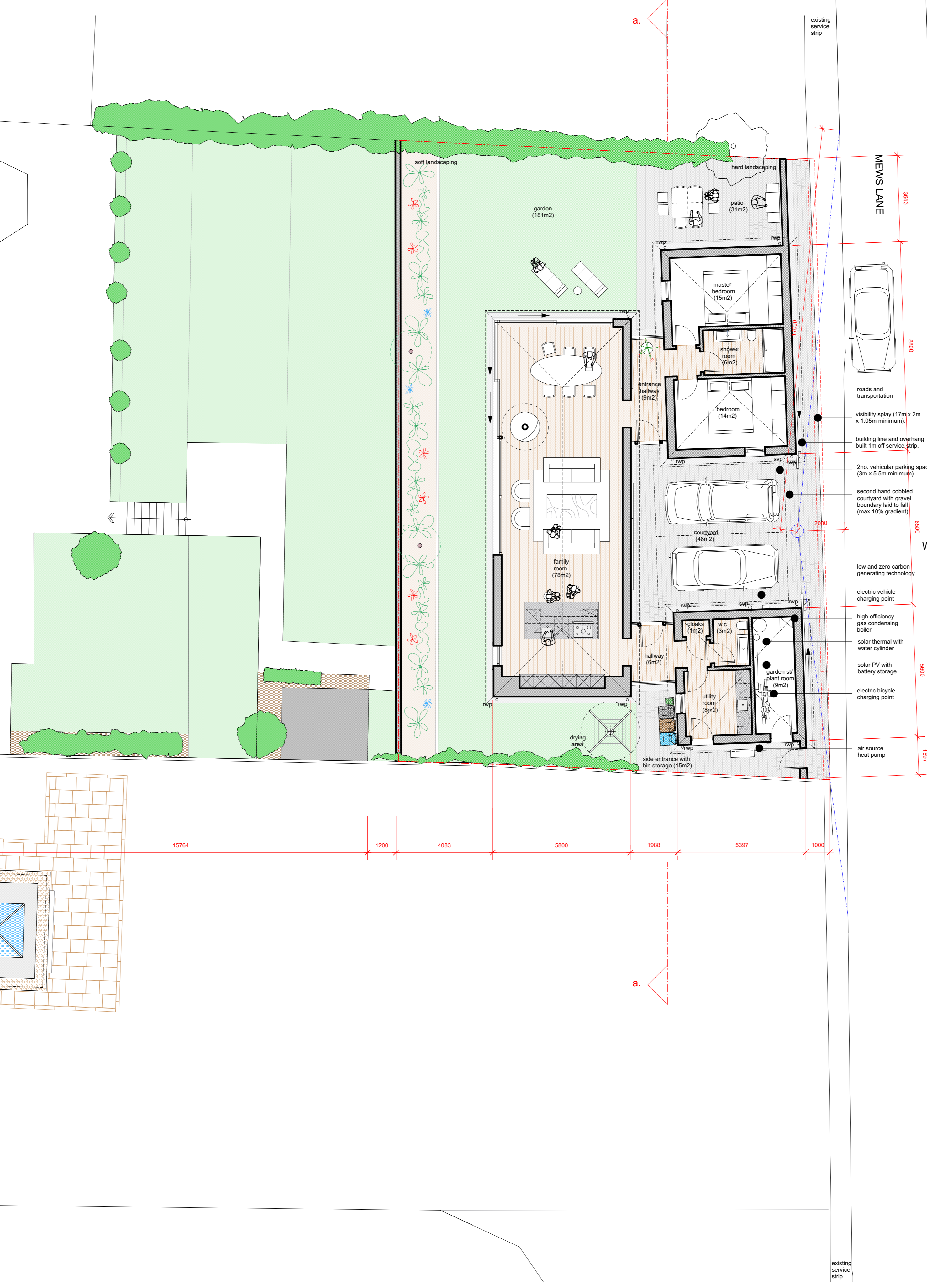
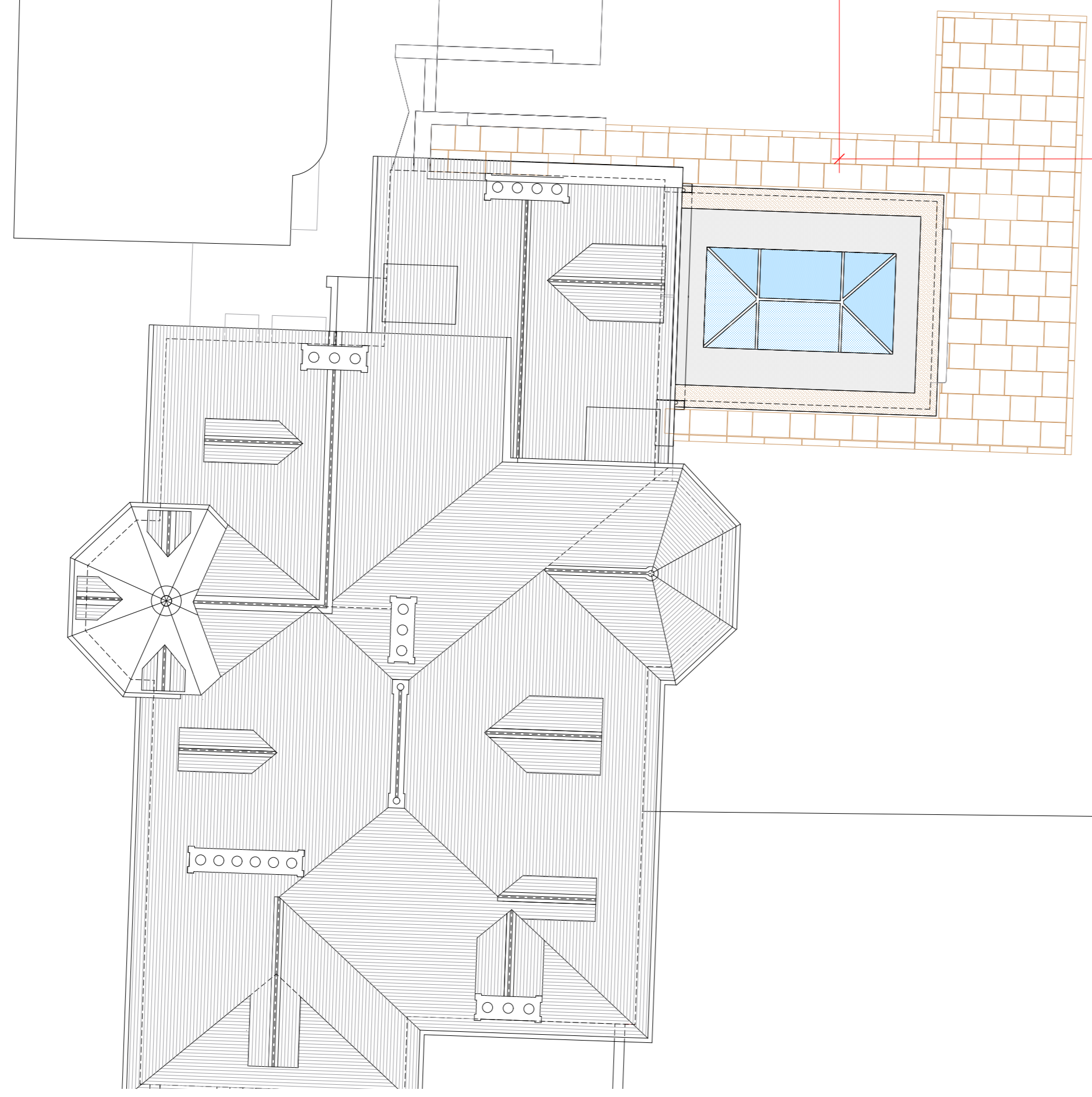
Scale. 1:100 **Drawn.** GQ



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roof plan



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QUIGLEY ARCHITECTS

Rev	Description	Date
B.	Planning Amendments	27.07.22
A.	Planning Amendments	27.03.20

Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

Title. Plan as proposed

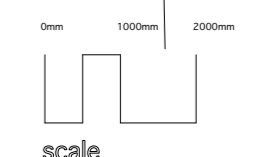
Drg. No. 1729/ **Date.** 16.07.19

Scale. 1:100 **Drawn.** GQ

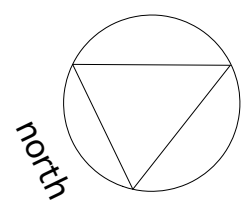
quigley ARCHITECTS

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NEWARK STREET



0mm 2000mm
scale

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QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Planning Amendments	06.08.22
A.	Planning Amendments	26.03.20

Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

Title. Roof Plan as proposed

Drg. No. 1729/ AL(0)09 Date. 18.07.19

Scale. 1:100 Drawn. GQ



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a.

MEWS LANE

b.

WESTFIELD DRIVE

a.

solar PV connected to battery storage

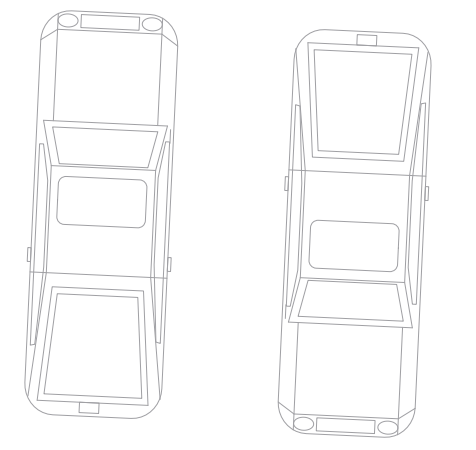
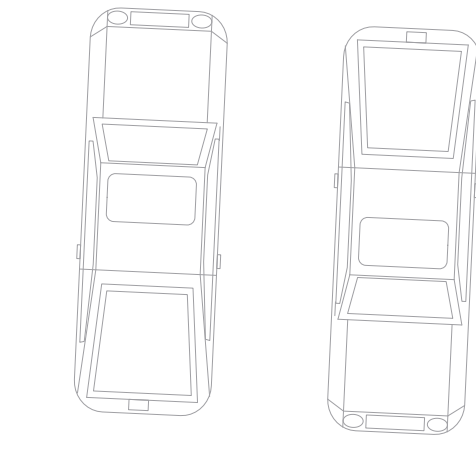
second hand slate finish with zinc flashing to ridge and hips

solar PV connected to battery storage

solar thermal connected to water cylinder

second hand slate finish with zinc flashing to ridge and hips

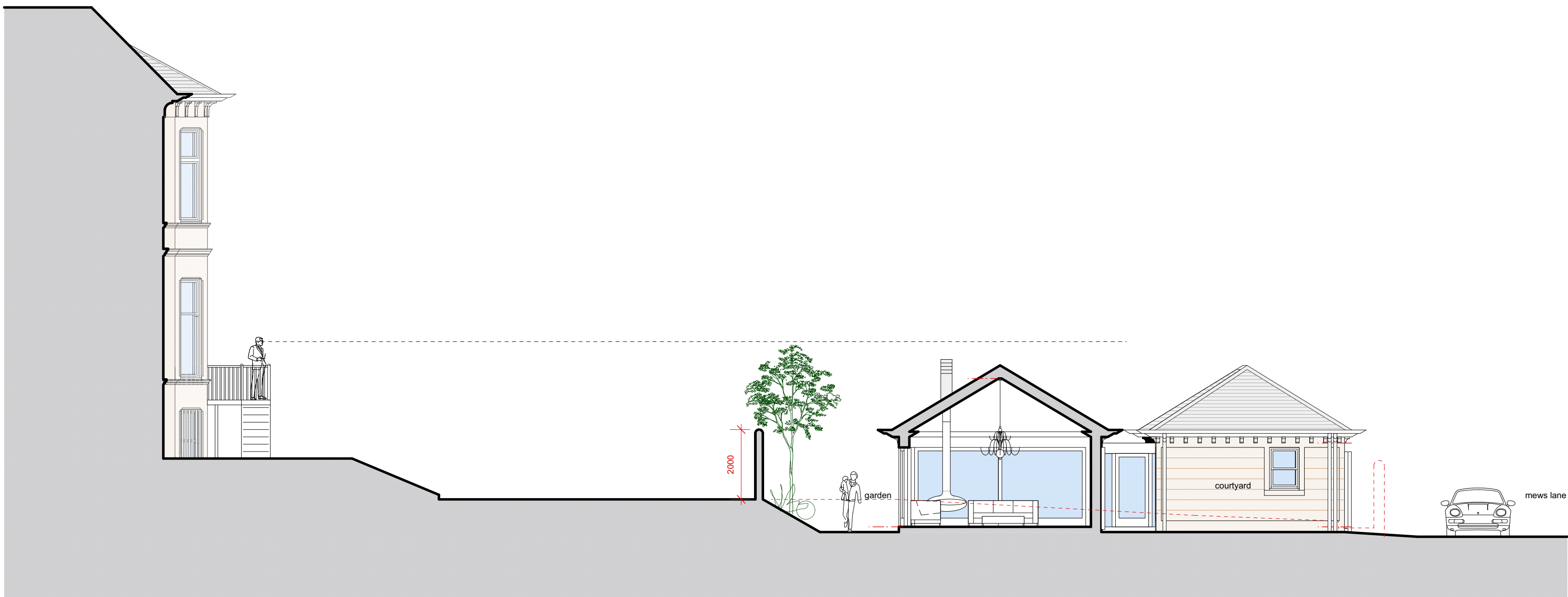
b.



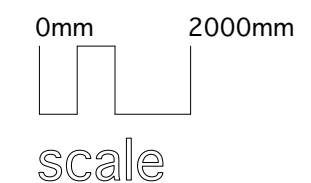
roof plan



section aa



section bb



GENERAL NOTES.

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QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Client Amendments	05.08.22
A.	Planning Amendments	31.03.20

Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

Title. Sections as proposed

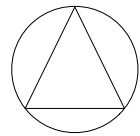
Drg. No. 1729/ AL(0)12 **Date.** 19.07.19

Scale. 1:100 **Drawn.** GQ

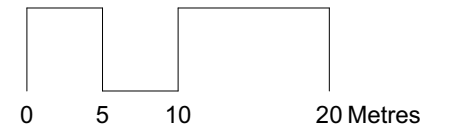


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north



scale

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B.	Planning Amendments	27.07.22
A.	Planning Amendments	01.04.20
Rev	Description	Date

Project. Proposed Development @
 92 Newark Street
 Greenock

Client. Mr & Mrs Scott

Title. Site Plan as
 proposed

Drg. No. 1729/ AL(0)07 **Date.** 22.07.19

Scale. 1:500 **Drawn.** GQ



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site plan

226154

226200

226296

677641

677641

677600

677600

677515

677515

226154

226200

226296



2. PLANNING APPLICATION – SUPPORT STATEMENT FROM QUIGLEY ARCHITECTS

PLANNING APPLICATION

**Proposal for a new dwelling at
Mews Lane, 92 Newark Street, Greenock PA16 7TG**

On behalf of Mr & Mrs G. Scott

DESIGN STATEMENT

**By Graeme Gerard Quigley
ARB RIAS RIBA Chartered Architect**

August 2022

quigley
1968 ARCHITECTS

1. INTRODUCTION

1.1 This document will demonstrate that our proposed dwelling to the north-east of Elmhurst, 92 Newark Street, Greenock at the junction of Mews Lane and Westfield Drive complies with Inverclyde Council's Local Development Plan 2019 and Planning Application Advice Notes;

- Policy 1 – Creating Successful Places
- Policy 6 – Low and Zero Carbon Generating Technology
- Policy 8 – Managing Flood Risk
- Policy 9 – Surface and Waste Water Drainage
- Policy 10 – Promoting Sustainable and Active Travel
- Policy 11 – Managing Impact of Development on the Transport Network
- Policy 16 – Contaminated Land
- Policy 28 – Conservation Areas
- (PAAN) 2 on Single Plot Residential Development
- (PAAN) 3 on Private and Public Open Space Provision.

1.2 This document will also demonstrate that our proposed dwelling complies with Inverclyde Council's proposed Development Plan and DRAFT Planning Application Advice Notes;

- Policy 1 – Creating Successful Places
- Policy 6 – Low and Zero Carbon Generating Technology
- Policy 9 – Managing Flood Risk
- Policy 10 – Surface and Waste Water Drainage
- Policy 11 – Promoting Sustainable and Active Travel
- Policy 12 – Managing Impact of Development on the Transport Network
- Policy 17 – Brownfield Development
- Policy 18 – Land for Housing
- Policy 20 – Residential Areas
- Policy 28 – Conservation Areas
- (PAAN) 2 on Single Plot Residential Development
- (PAAN) 3 on Private and Public Open Space Provision in New Residential Development.

1.3 Elmhurst was purchased in 2001 by our Clients who have implemented an extensive programme of sympathetic upgrading of the external and internal fabric to modern standards. (Refer to Photo no.1)



1.

- 1.4** However, because of the scale of the site (1,730m²), and in particular the rear garden bordering Mews Lane (932m²), general maintenance of garden ground proved unsustainable by modern standards.

As such, this rear garden ground has now been split between the 2 properties at 92 & 94 Newark Street, to provide generous private rear gardens of 226sqm and 158sqm respectively. The remainder of the site of 456sqm is vacant land now under a separate title, with direct access off Mews Lane.

- 1.5** Our Clients now wish to develop this vacant land in line with the pattern of historical development of Greenock's West End Conservation Area established over the past 200 years.

This historical development directly reflects the changes in lifestyles and the economies of scale where the original large mansion houses sub-divided their extensive grounds for development purposes.

In turn, new streets were formed allowing important large villas such as Bagatelle and Balclutha to be built. These large plots were then sub-divided into smaller building plots and so on leading to the rich tapestry of urban development that we see today. The conservation area has always been developing, always reflecting the architecture and social attitudes of the time.

- 1.6** With this philosophy in mind, in March 2019 we presented our 'initial design' drawings at our pre-application meeting with Inverclyde Council Planning Department indicating how the north-eastern boundary along Mews Lane (in tandem with neighbouring properties) could be sympathetically and successfully developed in line with the mews lanes of Glasgow's West End and Edinburgh's New Town Conservation Areas.

- 1.7** The Planning Officer advised in writing on 24th April 2019 that we revise our 'scheme design' to be more in keeping with the ethos of cluster ancillary buildings that exist along Mews Lane. (Refer to photos 2, 3, 4, 5, 6, 7 & 8)

- 1.8** Taking cognisance of Inverclyde Council's pre-application comments, we spent 6 months designing a bespoke one-storey dwellinghouse with direct correlation to the scale and massing of neighbouring ancillary buildings, while respecting the architectural character of the main villa.

In addition, we thought it important to acknowledge the development of Westfield Drive and the positioning of our design within its urban context.

- 1.9** It is hoped that by providing a carefully considered design solution that both preserves and enhances, our proposals can be viewed as a worthy addition to the Greenock West End Conservation Area.



2.



3.



4.



5.



6.



7.



8.

2.0 PLANNING POLICY

2.1 THE LOCAL DEVELOPMENT PLAN 2019

As the property is located within the Greenock West End Conservation Area, Inverclyde Council's Local Development Plan policies 20 and 28, Inverclyde Planning Application Advice Note No.2 and the 'Greenock West End Conservation Area Appraisal' [March 2016] in conjunction with Historic Environment Scotland's 'Policy Statement: Conservation Area Consent' [pp. 36 - 37, June 2016], will apply to the proposal.

Described as follows:

2.2 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.'

The six qualities of successful places are;

- *Distinctive*
- *safe and pleasant*
- *easy to move around*
- *welcoming*
- *adaptable*
- *resource efficient*

2.2.1 We will demonstrate that the proposed house for the vacant land fronting Mews Lane complies with all six of the points individually and collectively, namely;

Distinctive: The bespoke design is unique as it has been specifically designed for the site, making sure it is as sympathetic as possible to the surrounding urban context. The design is subtly restrained and conservative in its approach yet modern and distinctive enough to stand out from the surrounding buildings positively.

It reflects the local architecture and urban form and contributes positively to historic places.

Safe and pleasant: The one storey house faces in on itself with controlled views onto its own courtyard and private south-facing garden. An inconspicuous vehicular and pedestrian entrance for privacy so that owners feel more secluded, without the direct view from the street. Privacy and security are further maintained by walls around all boundaries softened by landscaping areas for planting and amenity.

The proposal avoids conflict with adjacent uses in respect of overshadowing, privacy and noise.

Easy to move around: Designed from the outset to be fully compliant with current building standards for accessibility all rooms, doors and corridor widths cater for all needs. In addition, there are no stairs or changes in level to restrict the end users internally or externally.

Welcoming: Providing a visual termination to Westfield Drive the 'converted ancillary buildings' narrative opens onto a hard landscaped courtyard off the street in keeping with similar mews type properties adjacent. Glazed entrance hallways maintain visual separation as well as provide clues to the private gardens that lie beyond. Internally the spaces range from enclosed and private to open plan and public depending on their proposed function.

The layout of the proposal is legible and easy to access.

Adaptable: The proposal is fully adaptable with all internal partitions non-loadbearing allowing simple manipulation of the layout. In addition, external space has been left vacant to facilitate easy extension of the property should additional space be required at a later date.

Resource efficient: Sustainability has also been at the fore-front of the design process throughout by the incorporation of renewal technologies and green design principles. Building orientation provides opportunities for solar gain and optimum placement for PV arrays while maintaining the aesthetic of the conservation area streetscape. Air source heat pumps are also discreetly placed.

In addition, the proposal makes use of previously developed land.

2.3 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.'

2.3.1 The design aims to achieve a much higher standard by ensuring at least a 50% reduction in carbon dioxide emissions through use of zero and low carbon generating technology such as solar P.V. panels, air source heat pumps, efficient gas boiler, advanced glazing, added insulation, alternative solid flue heating, solar gain and natural ventilation.

2.4 POLICY 8 – MANAGING FLOOD RISK

'Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a) *be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);*
- b) *increase the level of flood risk elsewhere; and*
- c) *reduce the water conveyance and storage capacity of a functional flood plain.*

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.'

2.4.1 The site is not in an area with a risk of flooding, however, a drainage assessment has been undertaken by civil engineers as part of the application process and they have incorporated a soakaway within the site to ensure flood risk prevention has been considered.

2.5 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.'

2.5.1 There are existing mains connections for surface and waste water drainage available around the site and all applications to the regulatory bodies (for new mains connections) will be submitted and approved accordingly.

The proposal is compliant with the principles set out in SuDs Manual and natural flood management is allowed for in the design.

2.6 POLICY 10 – PROMOTING SUSTAINABLE AND ACTIVE TRAVEL

'Development proposals, proportionate to their scale and proposed use, are required to:

- a) *provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and*
- b) *include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.*

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

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

2.6.1 The design provides convenient, level access throughout the site. Allowance for on-site parking for 2 vehicles has also been provided as well as storage for bikes, all of which have easy, unobstructed access/egress to the property.

Electric car and bike charging points are proposed which are powered from the roof mounted solar PV arrays. In addition, battery storage is also incorporated ensuring that the development is as future proof as possible.

Easy connection is available to the National Cycle Route. Various forms of public transport i.e. buses, trains and ferries are also accessible and within close proximity to the site.

2.7 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.'

2.7.1 The development will cause no adverse impact to the existing transport and active travel network. Recommendations from Inverclyde Council's Roads Department have all been incorporated into the design to ensure that they have no objections to the proposal.

2.8 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.'

2.8.1 The land for the proposed development is not contaminated.

2.9 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.'

2.9.1 The site is vacant as it is surplus to modern day requirements. Suitable private amenity/garden space has been provided elsewhere for the existing flatted development.

The design therefore proposes the beneficial repurposing of this brownfield site. Advanced structure planting has also been shown on the proposed plans.

2.10 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.'

2.10.1 The design for a house on a brownfield site within Greenock's West End Conservation Area has no adverse impact on the delivery of the Priority Places and Projects identified as it is a single house. It also relieves pressure on greenfield development.

The sustainable nature of the design and the flexibility in layout address all aspirational aspects of a modern lifestyle. This is an accessible house, suitable for any generation.

2.11 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.' (p.23)

'7.8 Inverclyde contains many successful residential areas, and it is important for the Council's repopulation agenda that these remain attractive places to live. The Council will therefore support resident's proposals to improve their properties where these proposals do not have an unacceptable impact on their neighbours' enjoyment of their own properties, the appearance of the surrounding area or traffic and pedestrian safety. New houses will also be supported in existing residential areas where the impact on existing houses is acceptable, and the design and layout of the new houses are in keeping with their surroundings...' (p.23)

2.11.1 The design and layout of the new house has been designed specifically to be in keeping with its surroundings. It will improve the immediate area in and around the site as well as add positively to the surrounding urban streetscape generally.

2.12 POLICY 28 – CONSERVATION AREAS

'Proposals for development, within or affecting the settling of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or others information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.' (p.28)

2.12.1 The proposed site historically backed onto Mews Lane, a service lane for accessing the rear of large villas fronting Octavia Terrace and then Newark Street. (Refer to Map 1)



Map 1 from National Library of Scotland (circa 1938).

Over the years a number of important alterations have eroded Mews Lane from simply a series of boundary walls with the occasion ancillary building punctuation.

2.12.2 In the 1930s, a large villa fronting Octavia Terrace was demolished and a new street formed between Octavia Terrace and Mews Lane called Westfield Drive to facilitate the 12 semi-

detached and detached houses built as its replacement. Plot sizes, design and layout of these houses did not reflect the immediate vicinity at the time. (Refer to photos 9, 10 & 11)



9.

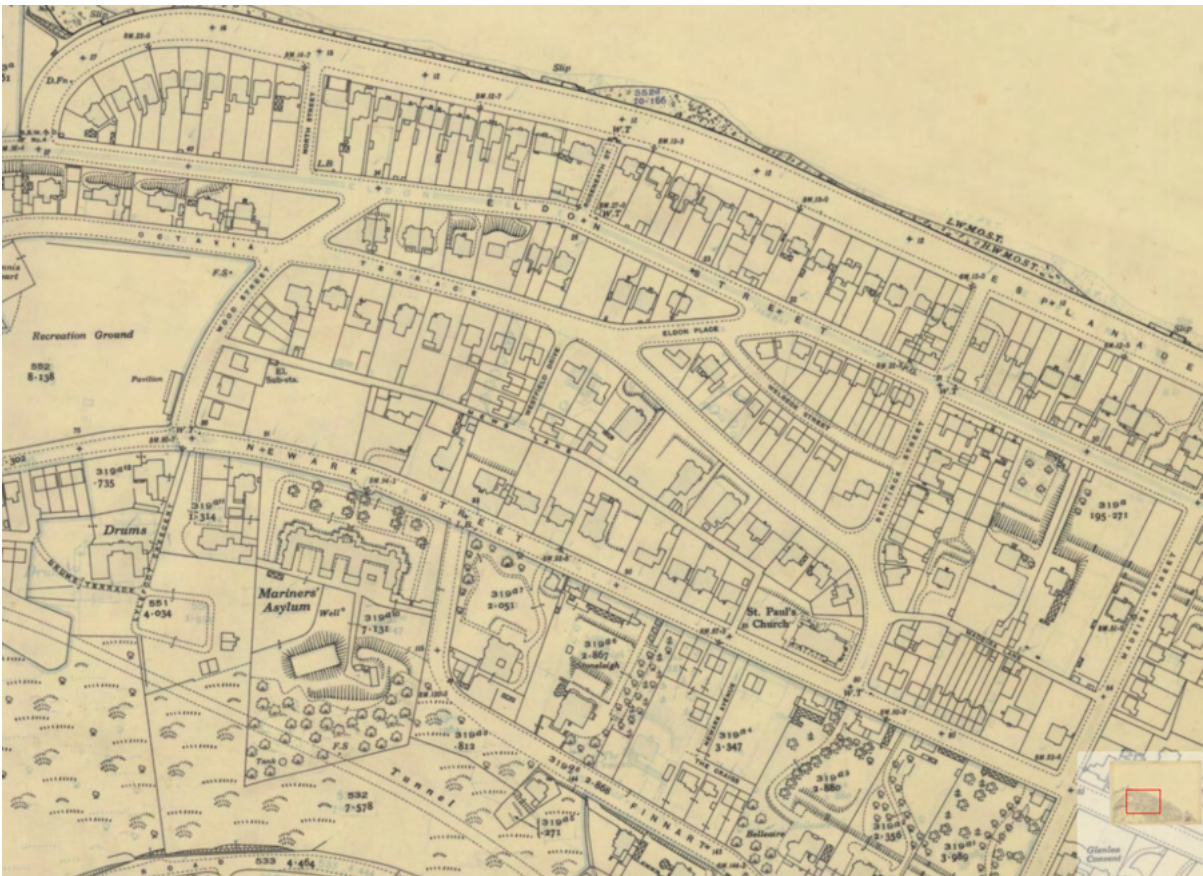


10.



11.

In addition, opening Mews Lane up visually was never addressed in terms of urban design to the detriment of the character and appearance of the conservation area. (Refer to Map 2)



Map 2 from National Library of Scotland (circa 1938).

2.12.3 Again, in the 1960s, a Council-led development of 12 houses significantly eroded the western end of Mews Lane when semi-detached and terraced housing with associated garages were introduced. (Refer to Photos 12, 13, 14 & 15)



12.



13.



14.



15.

Plots sizes, design and general layout neither preserve or enhance the character and appearance of the conservation area. (Refer to Map 3)



Map 3 from National Library of Scotland (circa 1963).

2.12.4 The new development will preserve and enhance the conservation area as it utilises vacant ground at the junction of Westfield Drive and Mews Lane to provide a visual termination through the introduction of a sympathetic house design to the main villa while respecting the scale and plot sizes of its more immediate neighbours off Westfield Drive.

Due to existing topography and the proposed massing, developing this site creates no negative impact on amenity and will bring to a close the urban design error that should have been addressed 90 years ago when Westfield Drive was formed. (Refer to photo 16.)



16.

2.13 INVERCLYDE PLANNING APPLICATION ADVICE NOTES (PAANs)

PAAN 2 - SINGLE PLOT RESIDENTIAL DEVELOPMENT

'Infill plots will be considered with reference to the following:

- *The plot size should reflect those in the immediate locality.*
- *The proportion of the built ground to garden should reflect the immediate locality.*
- *The distance between building to garden boundaries should reflect that in the immediate locality.*
- *The established street from building line should be followed.*
- *The proposed building height, roof design, use of materials and colours should reflect those in the immediate locality.*
- *Ground level window should comply with intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable.*
- *Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0m, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.*
- *The level of on-site car parking should be comparable with the established pattern in the street and be capable of being implemented without detriment to road safety.*

Application in Conservation Areas

The Greenock West End Conservation Areas is characterised by substantial villas set in large gardens. Understandably, there has been pressure for infill residential development in these areas. Historic Environment Scotland's Policy Statement explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhances. Development which does not respect the scales, design and detailing of existing buildings will not generally be supported.' (p.6)

in Inverclyde Council (2018) Supplementary Guidance on PAANs.

2.13.1 The site previously formed part of a very large rear garden, which due to the unsustainable size has been legally split and now forms vacant ground redundant in use.

The site proposed for development reflects the plot size and proportion of built ground to garden reflected in the immediate locality of Westfield Drive and more generally with the flatted villa of Elmhurst.

Height, roof design, use of materials and colours of the proposal all reflect the immediate locality of ancillary buildings to the main villas, as requested by Planning.

In addition, the scale, design and detailing of the proposal reflect the ancillary buildings of Elmhurst.

3. APPLICATION SITE AND CONTEXT

3.1 CONTEXT

The application site is located within the Greenock West End Conservation Area at the junction of Mews Lane and Westfield Drive. It forms the northeast part of a larger site stretching from Newark Street to Mews Lane, which houses a large 'late Victorian' blond sandstone villa, converted ancillary buildings with extensive driveway, front and rear gardens.

The local area contains a rich and diverse variety of housing types, sizes and architectural styles developed continuously over hundreds of years from small bungalows to large detached villas, the majority of which have been sub-divided into multiple occupancy dwellings.

Elmhurst is no different. The property was separated into three flatted dwellings in 1935. The ground floor is accessed via the main door of the villa. The lower ground floor is accessed via a side door from the courtyard. The top floor is accessed separately via an external stair.

Mews Lane has a varied streetscape. The lane provides vehicular access to the Newark Street and Octavia Terrace villas as well as a number of former ancillary buildings which have been turned to houses at various locations. There are also an assortment of garages, terraced houses and off-street parking.

Mews Lane has no distinct character in the present day due to erosion of its original use as a service lane. In reality it is a ramshackle mixture of various constructions, traditional boundary walls in poor condition or removed entirely. Bushes and other growth all along reduce the traffic width and give a foreboding character at the eastern end especially with its blind corner.

There is no attraction for the general public to use the lane for amenity or commuting and when coupled with poor lighting, site lines and general dilapidation its contribution to the conservation area is minimal.

3.2 SITE

At present there are two entrances into the site. Newark Street, from the south west, is the main vehicular and pedestrian access route to the principal elevation of the flatted villa and takes users onto a large landscaped private driveway, which allows sufficient space for three vehicles to sit parallel to the property.

Mews Lane, from the north east, allows service access into the rear of the property but this historical use is redundant as all services (such as refuse collection) are taken from Newark Street.

The property holds ample garden provision for each flat with a stepped lawn falling down towards the north eastern boundary wall, which backs onto Mews Lane.

4.0 DESIGN

4.1 Our design process was informed by our Clients brief and the typology of buildings on Mews Lane as well as being influenced by the guidance given during pre-application discussions with Inverclyde Council Planning Department.

Our proposals comply with the Council's policies as they both preserve and enhance the Conservation area through sympathetic placement and visual congruity with the existing built environment as well as appropriate layout, size, scale, design, siting, materials and colour of finish.

Careful consideration has also been taken with the design in an effort to preserve the architectural qualities of the existing Victorian villa as well as enhancing the integrity of Mews Lane.

The concern regarding no footway is understood, which is why the house has been stepped back 1 metre from the existing boundary in order to allow a safe space to stand prior to crossing or leaving the premises on foot.

Stepping back the design also facilitates safe access/egress of vehicles and provides the visibility splay of 17 metres by 2.0 metres x 1.05 metres required by Inverclyde Council Roads Department and maintains access the service strip running along the southern edge of the lane.

It should be noted that the position of the site at the junction of Mews Lane and Westfield Drive is unique. There are several houses already on Mews Lane that are not stepped back (or able to be)

therefore have no recess or footway and visibility splays cannot be achieved.

Perhaps if this lane was more user friendly and accessible, there would have been an incentive by Inverclyde Council to provide a common footpath. As mentioned in a point previously, Mews Lane is not a pedestrian street, with many other, more convenient walking locations.

4.2 DESIGN AND MATERIALS

Sitting in mature landscaping, the proposed dwellinghouse consists of three separate buildings organised around a cobbled courtyard, which is accessed directly off Mews Lane to provide off street parking spaces of 3.0 metres x 5.5 metres for 2 vehicles, as required by Inverclyde Council Roads Department.

The courtyard is located at the head of Westfield Drive and is flanked by 1 storey buildings constructed externally in reconstituted stone with slated roofs whose pitch, eaves and block size reflect the existing architectural composition of Elmhurst. This is to ensure that the new dwellinghouse provides a termination to Westfield Drive while providing a visual link and context to the larger villa behind.

From the private gated courtyard, the buildings are linked by glazed corridors in order to ensure that they are read as three individual entities and reflect a series of ancillary buildings subservient to the main villa, as requested by Inverclyde Council Planning Department.

The different functions of these three buildings are also clearly expressed, namely;

- 4.2.1** The south building is the open plan living area consisting of a double-height 'family room' with kitchen, dining and entertaining facilities. Floor to ceiling glazing looks out and opens onto private south-facing landscaping and patio areas.
- 4.2.2** The west building is the sleeping accommodation consisting of two generous sized bedrooms with built in storage and adjacent shower room. These spaces are more private, with smaller windows looking onto controlled views.
- 4.2.3** Lastly, the east building is the functional utility and storage areas opening out and accessing the house and garden, as required. The outdoor area has access to the garden and bin store and consists of a w.c., cloak cupboard, utility room and external plant room/ garden store.

4.3 SCALE AND POSITION

Due to a thorough understanding of the surrounding context, the scale and composition of the proposed building has been carefully considered to reflect the various ancillary buildings that populate Mews Lane.

The low height, modest footprint and careful positioning of the proposal was agreed after considering a preservation of the view from the existing house. Scale, in particular has been designed in consideration of the existing Villa and surrounding properties so as not to impose on the streetscape.

We have proposed to remove the existing brick wall, the materials of which will be utilized in construction where possible, in order for the building to be placed back from the lane, this will ensure that there will be no overhangs onto the road and provide the required visibility splay.

4.4 PRIVACY AND OVERLOOKING

Consideration has also been taken so that the proposed dwelling does not overlook neighbouring properties or impact negatively on the existing amenity.

Windows face east, south and west into the proposed dwelling's private garden ground. Semi-mature trees will be planted along the new southwestern boundary to create additional privacy.

4.5 DAYLIGHT AND OVERSHADOWING

The proposed single storey dwelling will not introduce any loss of daylight or create overshadowing to any existing property in the immediate vicinity.

The new building is sited over 10 metres away from its immediate neighbours on Westfield Drive and over 20 metres away from Elmhurst. In addition, the ridge of the proposed roof is less than 1 metre higher than the existing ground floor level of the main villa so existing views are preserved.

4.6 SUSTAINABILITY

The overall sustainability of the new build is vital and this is incorporated into the design to allow people to easily adapt their home as their needs change with time.

In order to make the building zero carbon we propose to use reclaimed materials where appropriate, such as cobbles, bricks and slates. For example, the courtyard will be resurfaced in second hand cobbles, the new buildings will be roofed using second hand slates to match the roofs of the existing ancillary buildings etc.

Energy efficiency is achieved through the use of high specification double-glazing throughout and floor, extra thick wall & roof insulation ensuring the new-build has low running costs.

Any disturbed soil from the site clearance will also be retained on-site for landscaping purposes. Similarly, we will keep and reuse the demolished brickwork in the construction and garden landscaping.

4.7 MAINTENANCE

The quality of materials specified will stand up well to the West Coast climate as they are traditional to the Scottish style and have been tested over the centuries. The sheltered location of the new build also will help combat adverse weathering.

These factors in tandem with a considered maintenance program will ensure the new construction's longevity and sustainability.

4.8 CONCLUSION

We are of the opinion that within contemporary society there should be allowance for the sensitive conversion of very large Victorian market garden spaces, obsolete now that food production to supply the household is not required.

This philosophy is exactly how Greenock's West End has developed over the past 200 years from the original large mansions in the countryside and the development of the street grid in the early 1800s.

There has always been a continuous sub-division of plot sizes over the centuries due to economic pressure and changes in social behaviour which, when carefully managed, has been successful and contributed to a built environment that we call the Greenock West End Conservation Area.

It is important to note that Greenock's West End was only labelled a 'conservation area' in the 1970's yet considered continuous development made the area what it is way before then so to use the argument of restricting development because it will change the character of an area is not understanding the subject matter.

Look to the adjacent Madeira Lane to see how 'service lanes' have been developed. There are many examples throughout the West End of precedent with this type of development.

Our thoroughly researched design for a new dwellinghouse is both sensitive and harmonious with the existing building, its setting and the local built environment and as such complies with Inverclyde Council's Local Development Planning Policies 20, 28 and PAAN 2.

5.0 JUSTIFICATION

- 5.1 Our Client is submitting the application in order to provide a new accessible dwellinghouse conducive to modern expectations and aspirations in the 21st century and give them the functionality of a family room with direct access and views over their private gardens to the rear of the site.

The whole project has been driven by informed Clients who insisted from the outset that the scale of the proposed house should be modest, however, that the proposed finishing materials and details have been specified to reflect a thorough understanding of the historic surroundings.

It is important to remember that Westfield Drive was constructed on the site of a former Victorian Villa and a new street formed to access Mews Lane. As such, the considered placement of our building at the head of Westfield Drive gives a termination point to the street view rather than that of a brick wall.

We believe therefore that by allowing the new 'ancillary style' building to be built on the application site it will be significantly beneficial now and for future generations by preserving and enhancing Greenock's West End Conservation Area.

The high standard of products proposed combined with the simplicity and sensitivity of the design complements the existing house and we therefore respectfully request that our detailed application for Planning Consent is granted.

**3. APPOINTED OFFICER'S REPORT OF HANDLING
DATED 11 NOVEMBER 2022**

REPORT OF HANDLING

Report By: Carrie Main

Report No: 22/0203/IC

**Local Application
Development**

**Contact
Officer:** 01475 712413

Date: 11 November 2022

Subject: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping at
92 Newark Street, Greenock

SITE DESCRIPTION

The application site comprises a substantial sub-divided villa and associated curtilage situated on the northern side of Newark Street, Greenock. Mews Lane, at its junction with Westfield Drive, lies to the rear. Externally the existing building is finished in sandstone and a slate roof. The site slopes down gently to Mews Lane.

A wide variety of dwellings and flatted dwellings lie adjacent to the site on Newark Street, Westfield Drive, and Octavia Terrace. The former Mariners Home building lies diagonally opposite on Newark Street. The site is within the Greenock West End Conservation Area.

PROPOSAL

It is proposed to sub-divide the rear curtilage and construct a detached, single storey dwellinghouse fronting Mews Lane. The new plot will extend to an area of 456 square metres and the proposed dwellinghouse to an external footprint of around 185 square metres. Accommodation will comprise an open plan kitchen and family room, two bedrooms, a shower room, a utility room and an external store. Two off-street parking spaces are proposed within a courtyard area.

The proposed dwelling will be single storey and be designed in three distinct parts linked around the small courtyard area. The existing boundary wall to Mews Lane will be removed and the proposed dwellinghouse finished externally in reconstituted stone and a slate roof to a height of around 4.8 metres and with a pitch and detailing to reflect the existing villa. The three components of the building will be linked by small glazed corridors. A gate will enclose the courtyard to Mews Lane.

The applicant has submitted a design statement in support of the proposal.

Planning permission was refused in June 2021 (application 19/0327/IC) for “New build one storey detached house (fronting Mews Lane) with associated hard and soft landscaping.” This application presents the same proposal, with minor additions to incorporate low and zero carbon generating technology; including solar PV panels to the rear roof slopes of the house, an air source heat pump and electric charging points.

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 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);
- b increase the level of flood risk elsewhere; and
- c reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 10 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- a provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- b include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

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

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

Policy 11 - Managing Impact of Development on the Transport Network

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

Policy 16 - Contaminated Land

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

Policy 28 - Conservation Areas

Proposals for development within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies

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

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.

*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 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- o be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- o increase the level of flood risk elsewhere; and
- o reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood risk management schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

Policy 10 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 4th edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- 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, 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:

- o provide safe and convenient opportunities for walking and cycling access within the site V and, where practicable, including links to the wider walking, cycling network and public transport network; and
- o 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 28 - Conservation Areas

Proposals for development, within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area.

Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Applicants should demonstrate that every reasonable effort has been made to secure the future of the building. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Draft Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies

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 –

1. Parking should be provided in accordance with the National Guidelines:
The application is for a 2 bedroom dwelling. This requires 2nr parking spaces.
2. The parking spaces shall be a minimum of 3.0m by 5.5m. The parking is acceptable.
3. The courtyard should be fully paved.
4. The gradient of the courtyard should not exceed 10%.
5. The visibility splay should be a minimum of 2.0m x 17.0m x 1.05m. The visibility splay shown meets this requirement.
6. The surface water flow from the site should be limited to that of greenfield flow off. The applicant should demonstrate through calculations that this is achievable. This should be agreed with the Roads Service.

Head of Public Protection and Covid Recovery (Environmental Health) – Conditions recommended in respect of contaminated land, bin storage, external lighting and sound insulation complying with Building Standards Regulations are recommended.

PUBLICITY

The application was advertised in the Greenock Telegraph on 26th August 2022 as a development affecting a conservation area.

SITE NOTICES

A site notice was posted on 26th August 2022 for development affecting a conservation area.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. Ten representations were received objecting to the proposal. The concerns raised are summarised below.

Design and impact on the impact on the Conservation Area concerns

- Adverse impact on the form and character of area.
- A negative impact on the appearance of the street will result.
- The development is inappropriate for the conservation area location.
- Detriment to this unique route within north-west character area of the conservation area.
- If approved, similar development may occur completely changing the character and appearance of the street.
- The new text on the plans is off-topic to the application. Changes noted are before 1970s and thus the point of the Conservation Area is to protect the remaining character.
- The wall is of high amenity value and marks the end of Westfield. The house would form a 5m structure, a visible and intrusive addition to the streetscape.
- The development would be a contravention of Historic Environment Scotland's Policy on back land development. It does not respect the scale and size of existing outbuildings and gardens.
- Removal of part of the traditional boundary wall, a historic and aesthetic of the local area, should be preserved.
- The buildings on Mews Lane within the Design Statement are not new build but original buildings and former outbuildings that have been converted and their footprints not increased in size.

Roads and traffic related issues

- The lane has been mischaracterised. It is busy and enjoyed by many residents and walkers.
- The proposal may increase traffic adjacent to the junction with Westfield Drive, to the detriment of road safety.
- Construction works and traffic will impact on road safety.
- There is no provision for visitor parking which may cause additional on-street parking to occur causing access/egress problems.
- Would add to parking problems on Westfield Drive.
- Mews Lane serves a variety of traffic and full access must be retained both during and on completion of the works. The proposal may result in parking and the blocking of the road.
- Will hamper access/egress for emergency, utility, delivery vehicles and all surrounding buildings.
- It will make the lack of pavement on Mews Lane unsafe.

Residential amenity concerns

- May set an unwelcomed precedent for similar development
- Loss of peacefulness
- Already utility issues for existing housing. An additional house would exacerbate these issues.
- The proposal may exacerbate existing drainage issues and flooding to neighbouring properties may occur. This hasn't been considered within the application.
- Mews Lane is a low traffic amenity, with foliage and wildlife. It is enjoyed by local residents. This may be disrupted by this development.
- Daylight and sunlight to adjacent residents may be reduced.
- Privacy of adjacent residents reduced.

Other matters

- Reasons for previous planning refusal have not been addressed in this application.
- The applicant cites not being able to manage the large rear garden as a justification for the proposal. This is disingenuous as a reason as there are other solutions to this.
- The site is described as "vacant ground" and "unsustainable" which is untrue and is a key component of the urban form of the area.

I will address these concerns within my assessment.

ASSESSMENT

The material considerations in the assessment of this application are national planning policy inclusive of Scottish Planning Policy (SPP), the adopted 2019 Inverclyde Local Development Plan, the proposed 2021 Inverclyde Local Development Plan, adopted and draft Planning Application Advice Notes (PAAN) 2 and 3 on "Single Plot Residential Development" and "Private and Public Open Space Provision in New Residential Development" respectively, Historic Environment Scotland's Historic Environment Policy for Scotland and "Managing Change in the Historic Environment" guidance note series, the Greenock West End Conservation Area Appraisal, the visual impact, the impact within the Conservation Area, the impact on residential amenity, the consultation responses, the representations received and the planning history within the site and surrounding area.

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

Policy 28 of the adopted and proposed Local Development Plan advises that proposals for development within a conservation area require to preserve or enhance the character and appearance of the area. It is further advised that in assessing such proposals any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area requires to be considered. Policy 1 of both Plans requires all development to have regard to the six qualities of successful places. The relevant factors in respect of this development contributing to the qualities of successful places are being "Distinctive" in reflecting local architecture and urban form and contributing positively to historic places, being "Resource Efficient" in making use of previously developed land, being "Safe and Pleasant" in avoiding conflict with adjacent uses in respect in respect of overshadowing, privacy and noise and "Welcoming" in making buildings legible and easy to access. Policy 18 of the proposed Plan supports new housing development on the sites identified in Schedule 3, and on other appropriate sites within residential areas and town and local centres. This site is not identified in Schedule 3. Policy 20 of the proposed Plan additionally requires development within residential areas to be assessed with regard to impact on the amenity, character and appearance of the area.

Historic Environment Scotland's "Managing Change in the Historic Environment" guidance note on "Setting" advises that setting can be important to the way in which historic places are understood, appreciated and experienced, and provides guidance on factors to be considered in assessing the impact of a change on the setting of a historic asset or place. The Greenock West End Conservation Area Appraisal identifies the application site as being within the north-west character area of the Conservation Area which was largely developed in the later decades of the 19th century. The property style is predominantly detached and semi-detached villas set back from the street and set in garden grounds and these became more elaborate in their architectural detail and larger in size as the century progressed. It is noted that on Newark Street, a group of large mansions provide a setting context for the Mariners Home. The Appraisal goes on to advise that in assessing planning applications, the Council shall consider them in relation to the relevant Local Development Plan. The Appraisal is not generally supportive of new development within existing plots and notes that new development should follow existing plot ratios.

PAAN2 on "Single Plot Residential Development" offers guidance on infill plots. It is noted in the guidance that small developments are often beneficial in removing derelict and untidy sites from the streetscene. The site currently functions as a domestic garden and does not appear as an untidy or derelict site within the streetscape. In any case, to Mews Lane it is enclosed by a large boundary wall which screens views to the garden from the public domain. Whilst the applicant contends that the general maintenance of garden ground for the existing property is unsustainable by modern standards, I do not consider that this would alone provide justification for the development. PAAN2 goes on to advise that infill development should have a plot size and proportion of built ground to garden reflecting the immediate locality. The distance to garden boundaries should also reflect the immediate locality together with the established street front building line. Height, roof design, use of materials and colours should also reflect the immediate locality. PAAN3 offers similar advice in respect of the development of single plots. PAAN2 provides additional advice on proposals within conservation areas referencing national policy and guidance. It is advised that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

The principle of the plot size, coverage and footprint of the proposed house can be considered in the context of a varied arrangement of plots within the vicinity and it could be argued that alone, the plot size and built proportion is not out of step with the wider locality. Equally, I note the proposed design concept and detailing which seeks to respond to the location of the development. However, the proposal would result in the subdivision of the plot of one of the large villas on Newark Street which would be at odds with the wider pattern of development within this part of the Conservation Area where the predominant building pattern centres around large villas in spacious plots set out along Newark Street or Octavia Terrace with rear service entrances from Mews Lane.

In the submitted design statement, the applicant considers that allowance should be made for the appropriate conversion of very large Victorian market garden spaces which have become obsolete and that this philosophy follows how Greenock's West End has developed over the past 250 years, from the original large mansions in the countryside and the development of the street grid in the early 1800s. It is contended that there has always been a continuous subdivision of plot sizes over the centuries due to economic pressure and changes in social behaviour which, when carefully managed, has been successful and contributed to a built environment that we call the Greenock West End Conservation Area. It is further highlighted by the applicant that continuous development made the area what it is prior to the designation of the Conservation Area and to use the argument of restricting development because it will change the character of an area is not understanding the subject matter. How the nearby Madeira Lane has developed is also highlighted.

Mews Lane largely takes the form of a rear access or service lane and was not designed to provide the principle access to residential dwellings. Whilst there may be a varied visual appearance along the Lane together with sporadic development, it remains that Mews Lane takes the form of a sparsely developed rear service lane. It is acknowledged that there are some residential properties that have been developed over time which both front and access to the Lane. These appear to have been formed from outbuildings or stables to the rear of the larger plots rather than being completely new build developments. Other dwellings on Mews Lane are more historical, they are very few in number and remain an incidental feature not out of context with the sparsely developed pattern in the Lane. In respect of the planning history within Mews Lane, planning permission was refused in 2003 to develop a new dwellinghouse fronting Mews Lane to the rear of one of the large villas at 84 Newark Street. In principle the proposal was considered to conflict with the established character, pattern of development in the area and increase in built density. Overall, it was not considered to protect or enhance the Conservation Area. Whilst some time has elapsed since this decision and whilst each application requires to be considered on individual merit, it is appropriate that the Council takes a consistent approach to decision making where the circumstances have not significantly changed in the intervening period.

There is no dispute with the applicant's position that regardless of the Conservation Area designation, development cannot "stand still" and the area must evolve. Many examples of where appropriate development has been achieved, allowing the area to evolve and preserving and enhancing the Conservation Area can be found. However, in accordance with SPP, development cannot be at any cost. Throughout the evolution of the area, Mews Lane has remained as a sparsely developed service lane and any new development must accord with the prevailing form of historic development including the overall historic layout. This proposal would sub-divide one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane. Whilst it remains that each application would require to be considered on individual merit, this is also not a unique site. If other similar sites along Mews Lane were developed in a similar fashion, these would all combine to very significantly alter the Lane.

I further note the reference to Madeira Lane and how this has evolved as a similar rear service lane. In visiting this Lane, I found a similar, albeit shorter, sparsely developed rear service lane. Whilst new development has occurred within the curtilage of one building, I do not find this provides any justification for development at Mews Lane. It cannot be considered that the development would preserve or enhance the Conservation Area as required by Policy 28 of the adopted and proposed Local Development Plans. In respect of the factors contributing to successful places, it therefore cannot be held that the proposal reflects local urban form and contributes positively to historic places. The proposal thus fails under the "Distinctive" heading and is thus not supported by Policy 1 of both the adopted and proposed Local Development Plans.

Turning to residential amenity, any development project will produce noise and an element of disruption during the construction phase and this cannot be a determining factor in consider whether to grant planning permission: this is a matter controlled by legislation under the auspices of the Head of Public Protection and Covid Recovery. It is recognised that the neighbouring residents have an established level of amenity. The position and scale of the proposed dwelling together with the

proposed fenestration do not raise any concerns regarding the potential for overlooking and loss of privacy to neighbouring dwellings. The single storey design together with the topography within the site and proposed landscaping within the new plot further limits the potential for any impact on the donor house. Whilst I note the concerns in the representations, the positioning and limited height of the building further ensures that there are no implications in respect of sunlight and daylight to neighbouring property. The noise and activity generated by the new dwellinghouse would be typical of that emanating from a domestic setting and I do not therefore consider that undue noise disturbance to neighbouring residents, including within the donor house, would occur.

The proposed house is within an accessible urban location a short walk from local bus services. There are no implications with respect to Policy 10 of the adopted Plan and Policy 11 of the proposed Plan. A range of traffic and road safety concerns have been raised in the representations. With regard to parking, traffic and road safety, I am principally guided by the advice from the Head of Service - Roads and Transportation. Parking is provided in accordance with the National Roads Development Guidance and the dimensions of the driveway follow the advice given in the consultation response. A suitable driveway gradient can also be achieved. A condition can ensure the first two metres of the courtyard is paved if required. The requirements of Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan are therefore met.

Turning to flooding and drainage, the Head of Service - Roads and Transportation advises that the surface water flow from the site should be limited to that of greenfield flow off and the applicant should demonstrate this is achievable through calculations. The applicant proposes a solution involving a soakaway within the site and the Head of Service - Roads and Transportation is happy with this approach, subject to a final drainage drawing and surface water being contained within the site. These matters can be addressed by condition if required. The proposal is acceptable with reference to Policies 8 and 9 of the adopted Plan and policies 9 and 10 of the proposed Plan.

Considering the outstanding points raised in the consultation responses, the Head of Public Protection and Covid Recovery raises no objections in respect of the proposal. I am satisfied that matters in respect of ground contamination can be addressed by condition. In this respect, I consider that the proposals comply with the requirements of Policy 16 of the adopted Plan and Policy 17 of the proposed Plan in respect of ground contamination. Matters relating to external lighting can be addressed by advisory note and compliance with the Building (Scotland) Regulations is addressed via the building warrant process. Bin storage arrangements are shown on the proposed site plan.

As an element of design, Policy 6 of the adopted Plan also seeks to ensure that all new buildings are energy efficient through the installation of low and zero carbon generating technologies and 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. Policy 6 of the proposed Plan reflects the updated position with a 20% requirement. This requirement can be addressed by condition if required.

Overall, whilst the proposal may be situated on a site within an accessible urban location, a number of concerns arise. Regardless of the detail of the design which it is acknowledged seeks to respond to the location, the proposal would sub-divide one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane. This cannot be considered to preserve or enhance the Conservation Area as required by Policy 28 of the adopted and proposed Local Development Plans. The proposal also fails to reflect the six qualities of successful places and is thus not supported by Policy 1 of both the adopted and proposed Local Development Plans. Considering the principles of sustainable development in respect of paragraph 29 of SPP, the proposal fails in respect of two of these as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. The proposal is thus not sustainable development with reference to SPP and thus not the right development in the right place. The proposal also fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area

In conclusion, Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended) requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal cannot be held to accord with the Development Plan and in reviewing the application together with the applicant's position set out in the supporting statement, it is concluded that there are no material considerations to indicate that the application should be considered favourably.

RECOMMENDATION

That the application be refused for the following reasons:

1. The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.
2. The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.
3. The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the "Distinctive" heading.
4. The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area.

Signed:



Carrie Main
Case Officer



Mr Stuart W Jamieson
Interim Director
Environment and Regeneration

4. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 POLICY EXTRACTS

3.0 CREATING SUCCESSFUL PLACES

Introduction

3.1 Inverclyde has many fantastic and unique places. Examples include the Free French Memorial and Lyle Hill, which offer panoramic views over the Firth of Clyde; Quarriers Village, built in the 19th century as an orphans' village and filled with individually designed homes of that period; the A-listed Edwardian Wemyss Bay railway station; and the grid-pattern Greenock West End conservation area, which is contained to the north by the popular Greenock Esplanade. These, and other places, have stood the test of time and remain places where people want to live and visit.

3.2 The Council is keen to have more successful places in Inverclyde, and all new development will be expected to contribute to creating successful places. This is particularly important in relation to the Plan's Priority Projects and Priority Places, which reflect major Council investments and the larger scale regeneration opportunities in Inverclyde.

Creating Successful Places

3.3 The Council is keen that all development contributes to making Inverclyde a better place to live, work, study, visit and invest. To differing degrees, all scales and types of development have the potential to make an impact on the surrounding environment and community. It is important to the Council that this impact is a positive one. To this end, the Council will have regard to the six qualities of a successful place when considering all development proposals.

Distinctive

Adaptable

Resource Efficient

Easy to Move Around

Safe and Pleasant

Welcoming

3.4 **Figure 3** illustrates the factors that contribute to the six qualities of a successful place. Not all will be relevant to every development proposal and planning application, but where they are, the Council will expect development proposals to have taken account of them, and it will have regard to them in the assessment of planning applications.



Quarriers Village

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.



Wemyss Bay Railway Station

FIGURE 3: Factors Contributing to Successful Places



4.6 Wind turbines are a means of generating electricity from a renewable resource. The Council's Supplementary Guidance on Energy will set out a spatial framework and other criteria to guide and assess proposals for wind turbines and wind farms, as well as guidance for other renewable energy technologies.

POLICY 4 – SUPPLYING ENERGY

Proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impact on:

- a) the green network (including landscape), and historic buildings and places;
- b) the amenity and operations of existing and adjacent uses;
- c) tourism and recreational resources;
- d) air quality;
- e) aviation and defence interests;
- f) telecommunication and broadcasting interests; and
- g) traffic and pedestrian safety

Relevant proposals are required to accord with the Council's Supplementary Guidance on Energy.



Heat Networks

4.7 Heat networks offer the opportunity for a more efficient and sustainable means of generating and delivering heat by removing the generation of heat from within individual properties to a communal facility. Heat networks, which are also referred to as district heating, are part of the step-change required towards a more sustainable future and less reliance on gas, and other carbon fuels, as a heat source.

POLICY 5 – HEAT NETWORKS

Major Development applications will be required to include an energy statement which considers the feasibility of meeting the development's heat demand through a district heating network or other low-carbon alternatives. All proposed developments located adjacent to significant heat sources or proposed/existing heat networks should be designed in such a way as to be capable of connecting to a heat network from that source and any land required for heat network infrastructure should be protected.

Low and Zero Carbon Generating Technology

4.8 The Plan is obliged by the Climate Change (Scotland) Act 2009 to include a policy requiring all new buildings to avoid greenhouse gas emissions through the installation of low and zero carbon generating technologies.

POLICY 6 – LOW AND ZERO CARBON GENERATING TECHNOLOGY

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

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

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

POLICY 8 – MANAGING FLOOD RISK

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a) be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- b) increase the level of flood risk elsewhere; and
- c) reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.



Surface and Waste Water Drainage

4.16 Surface water is a significant cause of flooding in Inverclyde, and can also impact on water quality by carrying pollutants into local burns and rivers. To address these issues, many new developments now require to include Sustainable Drainage Systems (SuDS). These systems can also provide an opportunity for

enhancing local biodiversity by creating ponds and wetlands, which slow water flow and filter out pollutants. It is also important that waste water (effluent) from new development is appropriately drained and treated in order to protect public health, amenity and environmental resources. In the majority of cases new development will be required to connect to the public sewer.

4.17 The Council's 'Flood Risk Assessment and Drainage Impact Assessment – Planning Guidance for Developers', sets out when Drainage Impact Assessments will be required and the issues they require to cover.

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.

5.0 CONNECTING PEOPLE AND PLACES

Introduction

5.1 Inverclyde has excellent transport connections; the A8 and A78 trunk roads run through the area and it has two train lines with fourteen stations, all of which connect Inverclyde with the rest of the Glasgow city-region and beyond. A number of bus companies also operate across Inverclyde, while four ferry services provide connections to various locations in Argyll and Bute. Inverclyde is also connected by a comprehensive core path network and National Cycle Network routes NCN75 and NCN753, which provide active travel connections to Renfrewshire, Glasgow and Ayrshire.

5.2 Transport is critical to the prosperity and sustainability of our communities. Economic activity and growth relies on a transport network that enables people and goods to move efficiently around Inverclyde, Scotland and to international markets. At the same time, the need to tackle climate change by cutting transport emissions requires an approach which reduces the need to travel by car and prioritises sustainable travel modes.

5.3 Planning can improve connectivity and promote sustainable travel by locating new development near active travel and public transport networks, thereby giving people the choice of walking, cycling or using public transport. It is also important to identify where additional transport infrastructure is needed to support new development and ensure that developers contribute toward its provision. Supporting new transport technologies, including the provision of charging points for electric vehicles, will also help reduce carbon emissions.

5.4 Good digital connectivity allows businesses to reach their markets, and people to keep in touch and work flexibly, wherever they are.

Promoting Sustainable and Active Travel

5.5 The Council aims to ensure that new housing, business and industry, retail, and other commercial and community development is easily accessible, in line with the sustainable travel hierarchy: walking, cycling, public transport and cars. It will seek to achieve this by requiring all such development, proportionate to their scale and proposed use, to make the site accessible by walking and cycling, both internally and, where practicable, through links to the external path and footway network. For larger developments, where sufficient passenger numbers might be

generated, the road network will be required to be accessible by public transport, although it is recognised that the provision of services will be a commercial decision for operators. The installation of electric vehicle charging points will be encouraged in new build development, and required in larger developments.

5.6 At the Main Issues Report stage, suggestions of improvements to transport infrastructure were received including the need for additional car parking in Kilmacolm village centre, the identification of gaps in the cycle/path network, and the need for an alternative route through Inverclyde for when there is reduced capacity on the A8 trunk road. Future developments of the transport network are to be investigated and included if required in the Local Transport Strategy and Active Travel Strategy. These strategies will identify improvements to the transport network in order to make it more efficient and promote sustainable travel. Included projects will be supported in principle, subject to consideration and mitigation of the impact of the schemes on the development opportunities and places protected by this Plan.

POLICY 10 – PROMOTING SUSTAINABLE AND ACTIVE TRAVEL

Development proposals, proportionate to their scale and proposed use, are required to:

- a) provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- b) include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

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

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

Managing the Impact of Development on the Transport Network

5.7 Development proposals should not have an adverse impact on the efficient operation of the transport and active travel network. In order to identify any potential capacity issues on the strategic road network (i.e. A8 & A78), the Council consulted Transport Scotland on the development opportunities identified in the Plan. The Council subsequently completed a high level impact appraisal of several large scale development proposals along the A78 in consultation with Transport Scotland, which concluded there will not be a significant cumulative impact on the trunk road network as a result of the Plan's proposals. Mitigation measures may still be required, including for the rail network, as a result of individual developments coming forward and these can be determined through the Transport Assessment process.

5.8 To ensure that the road network continues to operate efficiently, the Council has standards in place for road development and parking, which new development is expected to comply with. This may require additional improvements to the transport network outwith the actual development site. Where this is the case, developers will be required to meet these costs.

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.

Air Quality

5.9 As at 2018, Inverclyde does not have any Air Quality Management Areas or an air pollution reduction strategy. It does have busy transport corridors that can occasionally be congested where air quality is monitored. Some developments can directly affect air quality or change travel patterns in such a way that air quality is affected. In these instances the Council will expect an Air Quality Assessment to be undertaken and mitigation measures to be implemented.

POLICY 12 – AIR QUALITY

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

Communications Infrastructure

5.10 Inverclyde has good digital connectivity, with 4G mobile and superfast broadband coverage available across the majority of the area. This is of benefit to the economy and social networks and contributes towards it being an attractive place to live and invest.

POLICY 13 – COMMUNICATIONS INFRASTRUCTURE

The Council will support new digital communication infrastructure where it is sited to avoid adverse impact on: the streetscape; the amenity and operations of existing and adjacent uses; our natural and open spaces; and historic buildings and places.



Western Ferry, Gourock

Soils

6.12 Inverclyde has a rich variety of soil types, ranging from prime/good quality agricultural land around Quarriers Village and Inverkip to carbon rich peatland on Duchal Moor. Soil is recognised as an important natural resource, with agricultural land important for food production and the rural economy. It also supports and influences a range of habitats, stores carbon, and helps prevent and reduce flooding by storing water.

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.

Contaminated Land

6.13 Inverclyde has a proud tradition of industrial activity, stretching from its heavy industrial past of shipbuilding to the more recent manufacturing of electronic equipment and components. Many of these industries developed at a time when environmental standards were not as stringent as they are now, and this has resulted in a number of sites across Inverclyde that are potentially contaminated. When a new use is proposed for a site it is essential that any contamination is treated to ensure that the new use can operate safely. Guidance on site investigations and remediation measures is contained in the Scottish Government's Planning Advice Note 33 'Development of Contaminated Land'.

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.

10.0 OUR HISTORIC BUILDINGS AND PLACES

10.1 Inverclyde's buildings and places chart the long history of the area. Archaeological finds evidence the occupation of the area from pre-historic through to Roman times; Newark Castle and the initial growth of our towns and villages occurred during medieval times; and the industrialisation and urbanisation of the 18th to 20th centuries shaped Inverclyde as we know it now. Inverclyde's past has gifted the present day with a rich and varied legacy of historic buildings and places which significantly contribute to the culture, character and sense of place, and which support tourism and the economy. These include conservation areas, listed buildings, scheduled monuments and other archaeological sites, and gardens and designed landscapes. As well as the policies below, the Council will have regard to Historic Environment Scotland's Policy Statement (June 2016) and any successor document, when assessing proposals affecting these historic buildings and places.

Conservation Areas

10.2 Inverclyde has eight conservation areas: Greenock (West End and Cathcart Square/William Street), Gourock (West Bay and Kempock Street/Shore Street), Inverkip, Kilmacolm (South East and The Cross) and Quarrier's Homes. There are Article 4 Directions associated with five of these, the exceptions being The Cross, Kilmacolm and the two Gourock conservation areas, which were designated after the General Permitted Development Order was amended to restrict permitted development in conservation areas. Article 4 Directions remove permitted development rights from the conservation areas they cover.

10.3 Conservation Area Appraisals are useful documents for understanding the important features of conservation areas, assisting their positive management, and informing development management decisions. A Conservation Area Appraisal was completed for the Greenock West End in 2016 and it is intended that appraisals be undertaken for the other conservation areas over the lifetime of this Plan.

POLICY 28 – CONSERVATION AREAS

Proposals for development, within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.



Conservation Area - Main Street, Inverkip

5. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 MAP EXTRACT

LOCAL DEVELOPMENT PLAN 2019

KEY

SUSTAINABLE DEVELOPMENT STRATEGY

Priority Place POLICY 3

CONNECTING PEOPLE AND PLACES

Trunk Road POLICY 11

Railway POLICY 11

SPATIAL DEVELOPMENT STRATEGY

Green Belt POLICIES 14 & 19

Countryside POLICIES 14 & 19

OUR TOWN AND LOCAL CENTRES

Town Centre / Local Centre POLICY 22

Greenock Town Centre Central Area POLICY 22

Network of Centres Opportunity POLICY 22

OUR JOBS AND BUSINESSES

Business & Industrial Area POLICY 25

Business & Industrial Development Opportunity POLICY 26

OUR HISTORIC BUILDINGS AND PLACES

Conservation Area POLICY 28

Scheduled Monument POLICY 31

OUR NATURAL AND OPEN SPACES

Special Protection Area / Ramsar Site POLICY 33

Site of Special Scientific Interest POLICY 33

Local Nature Conservation Site POLICY 33

Tree Preservation Order POLICY 34

Open Space POLICY 35

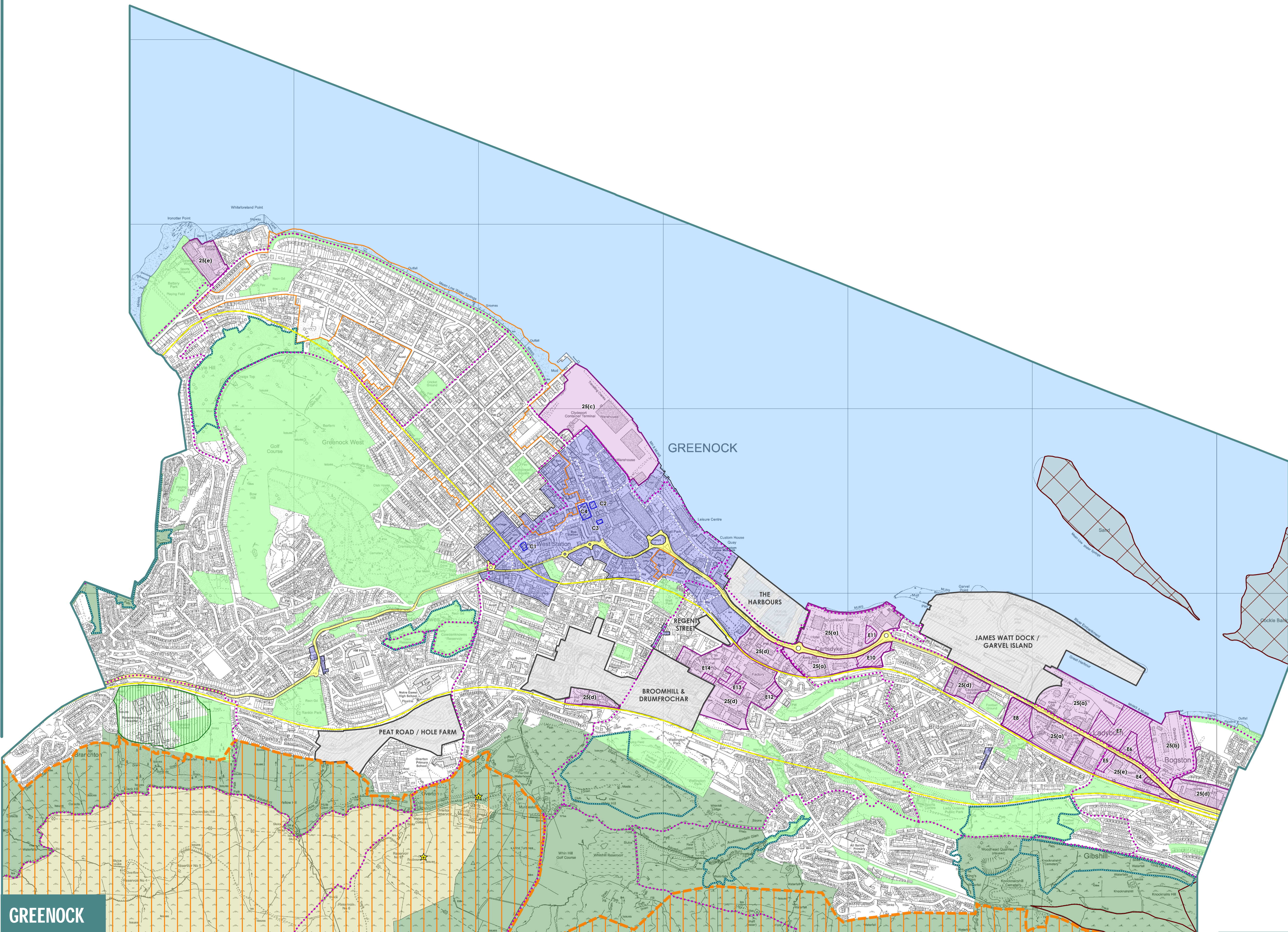
Clyde Muirshiel Regional Park POLICY 37

Core Path POLICY 38

River Clyde / Firth of Clyde

Inverclyde council SCALE 1:10,000

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GREENOCK

**6. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019
SUPPLEMENTARY GUIDANCE ON PLANNING
APPLICATION ADVICE NOTES POLICY EXTRACTS**

Planning Application Advice Note No. 2

SINGLE PLOT RESIDENTIAL DEVELOPMENT

There is a constant demand to erect single houses, often within the grounds of large private gardens and occasionally on small derelict or undeveloped areas of ground. These developments are often beneficial, providing additional housing in sustainable locations and removing derelict and untidy sites from the streetscene.

This Advice Note provides guidance on the issues that are considered in determining planning applications for this type of development.

Infill plots will be considered with reference to the following:

- The plot size should reflect those in the locality.
- The proportion of the built ground to garden ground should reflect that in the locality.
- The distance of the building to garden boundaries should reflect that in the locality.
- The established street front building line should be followed.
- The proposed building height, roof design, use of materials and colours should reflect those in the locality.

- Ground level window positions should comply with the window intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. As an alternative, boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable.

- Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0 metres, or if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.

- The level of on site car parking should accord with the National Roads Development Guide, should be comparable with the established pattern in the street and be capable of being implemented without detriment to road safety.

Applications in Conservation Areas

The Greenock West End and Kilmacolm Conservation Areas are characterised by substantial villas set in large gardens. Understandably, there has been pressure for infill residential development in these areas. Historic Environment Scotland's Policy for Scotland explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhanced. Development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

Applications in the grounds of listed buildings

New development within the grounds of listed buildings must have regard to the following:

- The listed building should be maintained as the visually prominent building.
- The principal elevations of the listed building should remain visible from all key viewpoints. New building should not breach any close formal relationship between the listed building and traditional outbuildings.
- Formal gardens should not be affected.
- Developments in front gardens which damage buildings to street relationships will not be supported.
- If a listed building is proposed to be upgraded as part of any development, work requires to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

Trees

Some infill sites require tree felling to enable development. The Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010 deem that in all but exceptional circumstances, the consent of the Council is required to fell or lop any tree covered by a TPO (Tree Preservation Order) or within a Conservation Area. The promotion of TPOs is an ongoing process and, in assessing applications for development, the

Council has a duty to consider the visual impact which would result if tree felling is required.

Window intervisibility

The table to the right details acceptable levels of window to window intervisibility. The distances are taken from the shortest point between the windows.

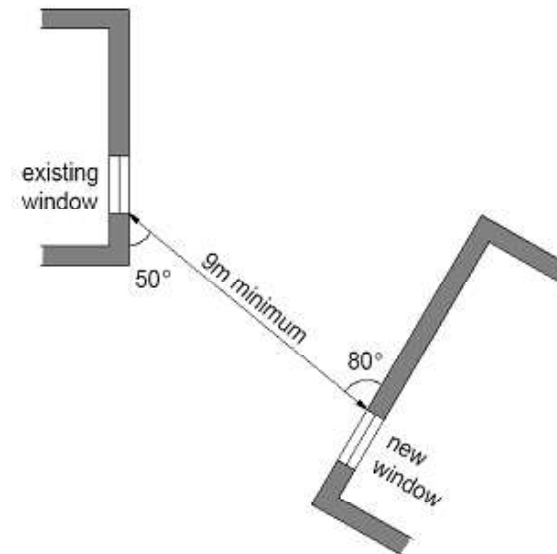


Brisbane Street, Greenock

Minimum Window to Window Distances (metres)

Angle at window of house/extension etc. to be erected not more than:

Angle at window of any other house not more than:	Angle at window of house/extension etc. to be erected not more than:									
	90°	80°	70°	60°	50°	40°	30°	20°	10°	0°
90°	18	18	18	18	13	9	6	4	3	2
80°	18	18	18	13	9	6	4	3	2	-
70°	18	18	13	9	6	4	3	2	-	-
60°	18	13	9	6	4	3	2	-	-	-
50°	13	9	6	4	3	2	-	-	-	-
40°	9	6	4	3	2	-	-	-	-	-
30°	6	4	3	2	-	-	-	-	-	-
20°	4	3	2	-	-	-	-	-	-	-
10°	3	2	-	-	-	-	-	-	-	-
0°	2	-	-	-	-	-	-	-	-	-



Planning Application Advice Note No. 3

PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

Open space provides two important functions; it contributes to “Placemaking”, providing space around and setting for buildings helping to establish the impression of an area, and it can be used to provide areas for outdoor leisure.

This Advice Note provides guidance on the required levels of public open space and private garden ground that should be included in new residential developments.

Types of development

No two sites are the same and residential development can range from the single house to sites in excess of 100 units. The standards required vary depending upon the scale of the development. The following definitions apply:

SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

- 10 houses or fewer in a vacant / redevelopment site within a built up area.

LARGE SCALE INFILL

- more than 10 houses in a vacant / redevelopment site within a built up area.

GREENFIELD / EDGE OF TOWN

- the development of a site on the edge of or outside a town or village.

FLATTED INFILL

- the development of flats, irrespective of number of units, on a vacant / redevelopment site within a built up area.

FLATTED DEVELOPMENT WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF TOWN SITE

- the development of flats, irrespective of number of units, as part of a larger infill development within a town or village, or on a greenfield / edge of town or village site.

Private Garden Ground

SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

- new development should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries. In all instances the minimum window to window distances below should be achieved.

FLATTED INFILL DEVELOPMENTS

- flats should 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.

LARGE SCALE (INFILL) OR GREENFIELD / EDGE OF SETTLEMENT SITE

- the following minimum sizes shall apply:
 - Rear / private garden depth - 9 metres, although where the rear garden does not back onto residential property or where dwellings in

neighbouring properties are significantly distant, this may be reduced if an area of screened side garden of size equivalent to a rear garden with a 9 metre depth can be provided.

- Front / public garden depth - 6 metres to the main wall.
- Distance from house to side boundary - 2 metres.
- Distance from house to side boundary when the house has an attached garage - 3 metres.

FLATTED WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF SETTLEMENT SITE

- 10 square metres per bedspace based upon an occupancy rate of two persons per double bedroom and one person per single bedroom.

Public Open Space

In developments other than small scale infill and flatted infill sites, public open space is required to be provided to achieve both an appropriate landscape setting for the development and play space.

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.
- It will be the responsibility of the developer to equip the play areas. Children’s play areas and kickabout areas should comprise 0.32 ha per 1000 population.

Location of Play Areas

- Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.
- Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden depths in excess of 9 metres.

Any new open space and play provision requirements, or changes to existing requirements, identified in a future Inverclyde Greenspace Strategy will supersede those identified above.



7. SCOTTISH PLANNING POLICY



Scottish Planning Policy

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Scottish Planning Policy

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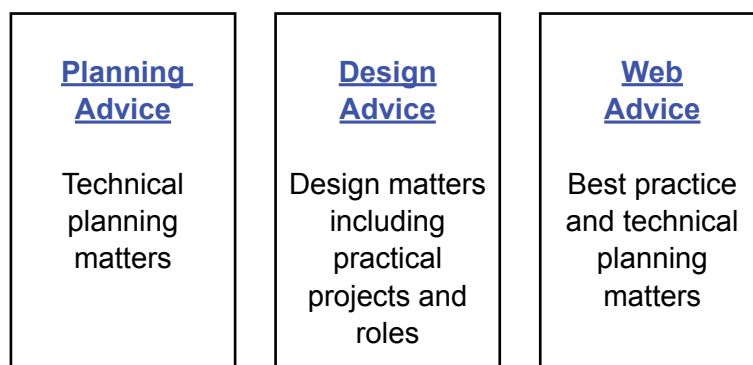
Planning Series

The Scottish Government series of Planning and Architecture documents are material considerations in the planning system.

Planning and Architecture Policy



Planning and Design Advice and Guidance



Further information is available at: www.scotland.gov.uk/planning

This SPP replaces SPP (2010) and Designing Places (2001)

statutory

non-statutory

Scottish Planning Policy (SPP)

Purpose

i. The purpose of the SPP is to set out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development¹ and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Status

ii. The SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. It is non-statutory. However, Section 3D of the Town and Country Planning (Scotland) 1997 Act requires that functions relating to the preparation of the National Planning Framework by Scottish Ministers and development plans by planning authorities must be exercised with the objective of contributing to [sustainable development](#). Under the Act, Scottish Ministers are able to issue guidance on this requirement to which planning authorities must have regard. The Principal Policy on Sustainability is guidance under section 3E of the Act.

iii. The 1997 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. As a statement of Ministers' priorities the content of the SPP is a material consideration that carries significant weight, though it is for the decision-maker to determine the appropriate weight in each case. Where development plans and proposals accord with this SPP, their progress through the planning system should be smoother.

¹ The Planning (Scotland) Act 2006 extends the definition of development to include marine fish farms out to 12 nautical miles.

iv. The SPP sits alongside the following Scottish Government planning policy documents:

- the [National Planning Framework](#) (NPF)², which provides a statutory framework for Scotland's long-term spatial development. The NPF sets out the Scottish Government's spatial development priorities for the next 20 to 30 years. The SPP sets out policy that will help to deliver the objectives of the NPF;
- [Creating Places](#)³, the policy statement on architecture and place, which contains policies and guidance on the importance of architecture and design;
- [Designing Streets](#)⁴, which is a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
- [Circulars](#)⁵, which contain policy on the implementation of legislation or procedures.

v. The SPP should be read and applied as a whole. Where 'must' is used it reflects a legislative requirement to take action. Where 'should' is used it reflects Scottish Ministers' expectations of an efficient and effective planning system. The Principal Policies on Sustainability and Placemaking are overarching and should be applied to all development. The key documents referred to provide contextual background or more detailed advice and guidance. Unless otherwise stated, reference to Strategic Development Plans (SDP) covers Local Development Plans outwith SDP areas. The SPP does not restate policy and guidance set out elsewhere. A [glossary](#) of terms is included at the end of this document.

2 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

3 www.scotland.gov.uk/Publications/2013/06/9811/0

4 www.scotland.gov.uk/Publications/2010/03/22120652/0

5 www.scotland.gov.uk/Topics/Built-Environment/planning/publications/circulars

Introduction

The Planning System

1. The planning system has a vital role to play in delivering high-quality places for Scotland. Scottish Planning Policy (SPP) focuses plan making, planning decisions and development design on the Scottish Government's Purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing [sustainable economic growth](#).
2. Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.
3. Further information and guidance on planning in Scotland is available at www.scotland.gov.uk/planning⁶. An explanation of the planning system can be found in [A Guide to the Planning System in Scotland](#)⁷.

Core Values of the Planning Service

4. Scottish Ministers expect the planning service to perform to a high standard and to pursue continuous improvement. The service should:
 - focus on outcomes, maximising benefits and balancing competing interests;
 - play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities;
 - be plan-led, with plans being up-to-date and relevant;
 - make decisions in a timely, transparent and fair way to provide a supportive business environment and engender public confidence in the system;
 - be inclusive, engaging all interests as early and effectively as possible;
 - be proportionate, only imposing conditions and obligations where necessary; and
 - uphold the law and enforce the terms of decisions made.

People Make the System Work

5. The primary responsibility for the operation of the planning system lies with strategic development planning authorities, and local and national park authorities. However, all those involved with the system have a responsibility to engage and work together constructively and proportionately to achieve quality places for Scotland. This includes the Scottish Government and its agencies, public bodies, statutory consultees, elected members, communities, the general public, developers, applicants, agents, interest groups and representative organisations.

⁶ www.scotland.gov.uk/Topics/built-environment/planning

⁷ www.scotland.gov.uk/Publications/2009/08/11133705/0

6. Throughout the planning system, opportunities are available for everyone to engage in the development decisions which affect them. Such engagement between stakeholders should be early, meaningful and proportionate. Innovative approaches, tailored to the unique circumstances are encouraged, for example charrettes or mediation initiatives. Support or concern expressed on matters material to planning should be given careful consideration in developing plans and proposals and in determining planning applications. Effective engagement can lead to better plans, better decisions and more satisfactory outcomes and can help to avoid delays in the planning process.

7. Planning authorities and developers should ensure that appropriate and proportionate steps are taken to engage with communities during the preparation of development plans, when development proposals are being formed and when applications for planning permission are made. Individuals and **community** groups should ensure that they focus on planning issues and use available opportunities for engaging constructively with developers and planning authorities.

8. Further information can be found in the following:

- [Town and Country Planning \(Scotland\) Act 1997](#)⁸ as amended, plus associated legislation: sets out minimum requirements for consultation and engagement
- [Circular 6/2013: Development Planning](#)⁹
- [Circular 3/2013: Development Management Procedures](#)¹⁰
- [The Standards Commission for Scotland: Guidance on the Councillors' Code of Conduct](#)¹¹
- [Planning Advice Note 3/2010: Community Engagement](#)¹²
- [A Guide to the Use of Mediation in the Planning System in Scotland \(2009\)](#)¹³

Outcomes: How Planning Makes a Difference

9. The Scottish Government's Purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth is set out in the Government Economic Strategy. The aim is to ensure that the entire public sector is fully aligned to deliver the Purpose. The relationship of planning to the Purpose is shown on page 8.

10. The Scottish Government's [16 national outcomes](#)¹⁴ articulate in more detail how the Purpose is to be achieved. Planning is broad in scope and cross cutting in nature and therefore contributes to the achievement of all of the national outcomes. The pursuit of these outcomes provides the impetus for other national plans, policies and strategies and many of the principles and policies set out in them are reflected in both the SPP and NPF3.

8 www.legislation.gov.uk/ukpga/1997/8/contents

9 www.scotland.gov.uk/Publications/2013/12/9924/0

10 www.scotland.gov.uk/Publications/2013/12/9882/0

11 www.standardscommissionscotland.org.uk/webfm_send/279

12 www.scotland.gov.uk/Publications/2010/08/30094454/0

13 www.scotland.gov.uk/Publications/2009/03/10154116/0

14 www.scotland.gov.uk/About/Performance/scotPerforms/outcome

11. NPF3 and this SPP share a single vision for the planning system in Scotland:

We live in a Scotland with a growing, low-carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.

12. At the strategic and local level, planning can make a very important contribution to the delivery of [Single Outcome Agreements](#)¹⁵, through their shared focus on ‘place’. Effective integration between land use planning and community planning is crucial and development plans should reflect close working with [Community Planning Partnerships](#)¹⁶.

13. The following four planning outcomes explain how planning should support the vision. The outcomes are consistent across the NPF and SPP and focus on creating a successful sustainable place, a low carbon place, a natural, resilient place and a more connected place. For planning to make a positive difference, development plans and new development need to contribute to achieving these outcomes.

Outcome 1: A successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places.

14. NPF3 aims to strengthen the role of our city regions and towns, create more vibrant rural places, and realise the opportunities for sustainable growth and innovation in our coastal and island areas.

15. The SPP sets out how this should be delivered on the ground. By locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life. Well-planned places promote well-being, a sense of identity and pride, and greater opportunities for social interaction. Planning therefore has an important role in promoting strong, resilient and inclusive communities. Delivering high-quality buildings, infrastructure and spaces in the right locations helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles.

16. Good planning creates opportunities for people to contribute to a growing, adaptable and productive economy. By allocating sites and creating places that are attractive to growing economic sectors, and enabling the delivery of necessary infrastructure, planning can help provide the confidence required to secure private sector investment, thus supporting innovation, creating employment and benefiting related businesses.

Outcome 2: A low carbon place – reducing our carbon emissions and adapting to climate change.

¹⁵ www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP/SOA2012

¹⁶ www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP

17. NPF3 will facilitate the transition to a low carbon economy, particularly by supporting diversification of the energy sector. The spatial strategy as a whole aims to reduce greenhouse gas emissions and facilitate **adaptation** to climate change.

18. The Climate Change (Scotland) Act 2009 sets a target of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. Annual greenhouse gas emission targets are set in secondary legislation. Section 44 of the Act places a duty on every public body to act:

- in the way best calculated to contribute to the delivery of emissions targets in the Act;
- in the way best calculated to help deliver the Scottish Government’s climate change adaptation programme; and
- in a way that it considers is most sustainable.

19. The SPP sets out how this should be delivered on the ground. By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change. Planning can also influence people’s choices to reduce the environmental impacts of consumption and production, particularly through energy efficiency and the reduction of waste.

Outcome 3: A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.

20. NPF3 emphasises the importance of our environment as part of our cultural identity, an essential contributor to well-being and an economic opportunity. Our spatial strategy aims to build resilience and promotes protection and sustainable use of our world-class environmental assets.

21. The SPP sets out how this should be delivered on the ground. By protecting and making efficient use of Scotland’s existing resources and environmental assets, planning can help us to live within our environmental limits and to pass on healthy ecosystems to future generations. Planning can help to manage and improve the condition of our assets, supporting communities in realising their aspirations for their environment and facilitating their access to enjoyment of it. By enhancing our surroundings, planning can help make Scotland a uniquely attractive place to work, visit and invest and therefore support the generation of jobs, income and wider economic benefits.

Outcome 4: A more connected place – supporting better transport and digital connectivity.

22. NPF3 reflects our continuing investment in infrastructure, to strengthen transport links within Scotland and to the rest of the world. Improved digital connections will also play a key role in helping to deliver our spatial strategy for sustainable growth.

23. The SPP sets out how this should be delivered on the ground. By aligning development more closely with transport and digital infrastructure, planning can improve sustainability and connectivity. Improved connections facilitate accessibility within and between places – within Scotland and beyond – and support economic growth and an inclusive society.

SG Purpose	To focus government and public services on creating a more successful country, with opportunities for all to flourish, through increasing sustainable economic growth.											
SG National Outcomes	The planning system and service contribute to all 16 National Outcomes											
SG National Plans, Policies & Strategies	Government Economic Strategy											
	Infrastructure Investment Plan											
	Scotland's Digital Future	Electricity & Heat Generation Policy Statements	2020 Challenge for Scotland's Biodiversity	Scottish Historic Environment Strategy and Policy	Housing Strategy	National Planning Framework & Scottish Planning Policy	Land Use Strategy	Low Carbon Scotland: Report of Proposals and Policies	National Marine Plan	Regeneration Strategy	National Transport Strategy	
Planning Vision	We live in a Scotland with a growing, low carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.											
Planning Outcomes	Planning makes Scotland a successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed places.			Planning makes Scotland a low carbon place – reducing our carbon emissions and adapting to climate change.			Planning makes Scotland a natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.			Planning makes Scotland a connected place – supporting better transport and digital connectivity.		
National Planning	Scottish Planning Policy (SPP)											
	Principal Policies											
	Sustainability											
	Placemaking											
	Subject Policies											
	Town Centres	Heat and Electricity	Natural Environment	Green Infrastructure	Travel	Zero Waste	Aquacultural	Minerals	Flooding & Drainage	Digital Connectivity	National Planning Framework (NPF)	
	Rural Development											
	Homes											
	Business & Employment	Cities and Towns		Rural Areas		Coast and Islands		National Developments				
	Historic Environment	COMMUNITY PLANNING										
Strategic	Strategic Development Plans											
Local	Local Development Plans											
Site	Master Plans											

Principal Policies

Sustainability

NPF and wider policy context

24. The Scottish Government's central purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing **sustainable economic growth**.

25. The Scottish Government's commitment to the concept of **sustainable development** is reflected in its Purpose. It is also reflected in the continued support for the five guiding principles set out in the UK's shared framework for sustainable development. Achieving a sustainable economy, promoting good governance and using sound science responsibly are essential to the creation and maintenance of a strong, healthy and just society capable of living within environmental limits.

26. The NPF is the spatial expression of the Government Economic Strategy (2011) and sustainable economic growth forms the foundations of its strategy. The NPF sits at the top of the development plan hierarchy and must be taken into account in the preparation of strategic and local development plans.

27. The Government Economic Strategy indicates that sustainable economic growth is the key to unlocking Scotland's potential and outlines the multiple benefits of delivering the Government's purpose, including creating a supportive business environment, achieving a low carbon economy, tackling health and social problems, maintaining a high-quality environment and passing on a sustainable legacy for future generations.

Policy Principles

This SPP introduces a presumption in favour of development that contributes to sustainable development.

28. 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; it is not to allow development at any cost.

29. This means that policies and decisions should be guided by the following principles:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;

- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting [climate change mitigation](#) and [adaptation](#) including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the [historic environment](#);
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

Key Documents

- [National Planning Framework](#)¹⁷
- [Government Economic Strategy](#)¹⁸
- [Planning Reform: Next Steps](#)¹⁹
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)²⁰
- [UK’s Shared Framework for Sustainable Development](#)²¹

Delivery

Development Planning

30. Development plans should:

- be consistent with the policies set out in this SPP, including the presumption in favour of development that contributes to sustainable development;
- positively seek opportunities to meet the development needs of the plan area in a way which is flexible enough to adapt to changing circumstances over time;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area;
- be up-to-date, place-based and enabling with a spatial strategy that is implemented through policies and proposals; and
- set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achieved.

¹⁷ www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

¹⁸ www.scotland.gov.uk/Publications/2011/09/13091128/0

¹⁹ www.scotland.gov.uk/Publications/2012/03/3467

²⁰ www.scotland.gov.uk/Publications/2011/03/17091927/0

²¹ <http://archive.defra.gov.uk/sustainable/government/documents/SDFramework.pdf>

31. Action programmes should be actively used to drive delivery of planned developments: to align stakeholders, phasing, financing and infrastructure investment over the long term.

Development Management

32. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.

33. Where relevant policies in a development plan are out-of-date²² or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.

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

35. To support the efficient and transparent handling of planning applications by planning authorities and consultees, applicants should provide good quality and timely supporting information that describes the economic, environmental and social implications of the proposal. In the spirit of planning reform, this should be proportionate to the scale of the application and planning authorities should avoid asking for additional impact appraisals, unless necessary to enable a decision to be made. Clarity on the information needed and the timetable for determining proposals can be assisted by good communication and project management, for example, use of processing agreements setting out the information required and covering the whole process including planning obligations.

²² Development plans or their policies should not be considered out-of-date solely on the grounds that they were adopted prior to the publication of this SPP. However, the policies in the SPP will be a material consideration which should be taken into account when determining applications.

Placemaking

NPF and wider policy context

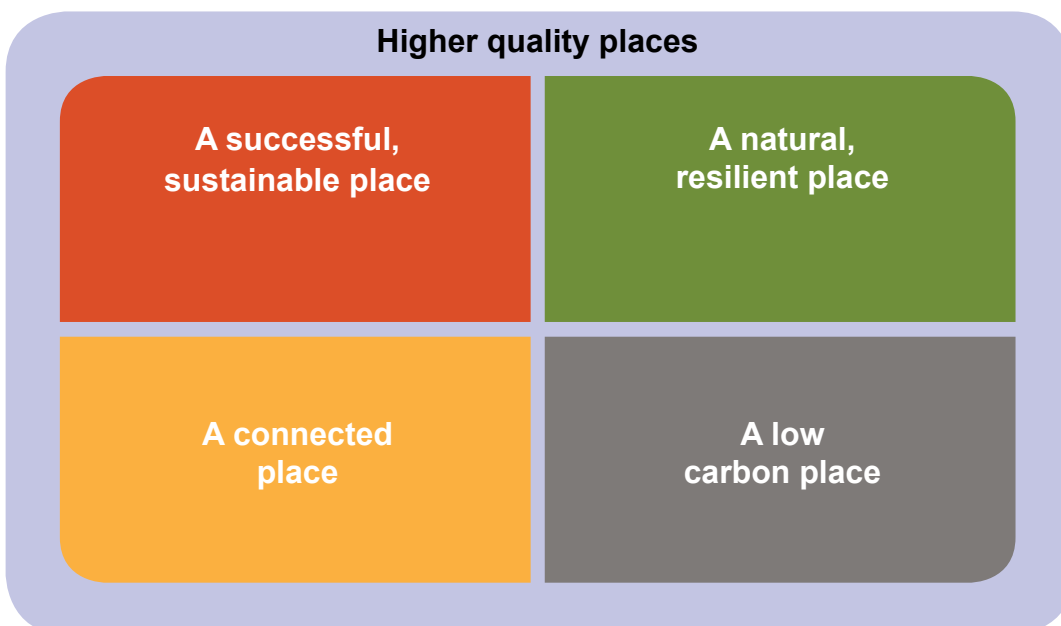
36. Planning’s purpose is to create better places. Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people’s needs. The Government Economic Strategy supports an approach to place that recognises the unique contribution that every part of Scotland can make to achieving our shared outcomes. This means harnessing the distinct characteristics and strengths of each place to improve the overall quality of life for people. Reflecting this, NPF3 sets out an agenda for placemaking in our city regions, towns, rural areas, coast and islands.

37. The Government’s policy statement on architecture and place for Scotland, Creating Places, emphasises that quality places are successful places. It sets out the value that high-quality design can deliver for Scotland’s communities and the important role that good buildings and places play in promoting healthy, sustainable lifestyles; supporting the prevention agenda and efficiency in public services; promoting Scotland’s distinctive identity all over the world; attracting visitors, talent and investment; delivering our environmental ambitions; and providing a sense of belonging, a sense of identity and a sense of community. It is clear that places which have enduring appeal and functionality are more likely to be valued by people and therefore retained for generations to come.

Policy Principles

Planning should take every opportunity to create high quality places by taking a design-led approach.

38. This means taking a holistic approach that responds to and enhances the existing place while balancing the costs and benefits of potential opportunities over the long term. This means considering the relationships between:



39. The design-led approach should be applied at all levels – at the national level in the NPF, at the regional level in strategic development plans, at the local level in local development plans and at site and individual building level within master plans that respond to how people use public spaces.

Planning should direct the right development to the right place.

40. This requires spatial strategies within development plans to promote a sustainable pattern of development appropriate to the area. To do this decisions should be guided by the following policy principles:

- optimising the use of existing resource capacities, particularly by co-ordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure;
- using land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores;
- considering the re-use or re-development of **brownfield land** before new development takes place on greenfield sites;
- considering whether the permanent, temporary or advanced greening of all or some of a site could make a valuable contribution to green and open space networks, particularly where it is unlikely to be developed for some time, or is unsuitable for development due to its location or viability issues; and
- locating development where investment in growth or improvement would have most benefit for the amenity of local people and the vitality of the local economy.

Planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place.

- ***Distinctive***

41. This is development that complements local features, for example landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

- ***Safe and Pleasant***

42. This is development that is attractive to use because it provides a sense of security through encouraging activity. It does this by giving consideration to crime rates and providing a clear distinction between private and public space, by having doors that face onto the street creating active frontages, and by having windows that overlook well-lit streets, paths and open spaces to create natural surveillance. A pleasant, positive sense of place can be achieved by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

- **Welcoming**

43. This is development that helps people to find their way around. This can be by providing or accentuating landmarks to create or improve views, it can be locating a distinctive work of art to mark places such as gateways, and it can include appropriate signage and distinctive lighting to improve safety and show off attractive buildings.

- **Adaptable**

44. This is development that can accommodate future changes of use because there is a mix of building densities, tenures and typologies where diverse but compatible uses can be integrated. It takes into account how people use places differently, for example depending on age, gender and degree of personal mobility and providing versatile greenspace.

- **Resource Efficient**

45. This is development that re-uses or shares existing resources, maximises efficiency of the use of resources through natural or technological means and prevents future resource depletion, for example by mitigating and adapting to climate change. This can mean denser development that shares infrastructure and amenity with adjacent sites. It could include siting development to take shelter from the prevailing wind; or orientating it to maximise solar gain. It could also include ensuring development can withstand more extreme weather, including prolonged wet or dry periods, by working with natural environmental processes such as using landscaping and natural shading to cool spaces in built areas during hotter periods and using sustainable drainage systems to conserve and enhance natural features whilst reducing the risk of flooding. It can include using durable materials for building and landscaping as well as low carbon technologies that manage heat and waste efficiently.

- **Easy to Move Around and Beyond**

46. This is development that considers place and the needs of people before the movement of motor vehicles. It could include using higher densities and a mix of uses that enhance accessibility by reducing reliance on private cars and prioritising sustainable and active travel choices, such as walking, cycling and public transport. It would include paths and routes which connect places directly and which are well-connected with the wider environment beyond the site boundary. This may include providing facilities that link different means of travel.

Key Documents

- [National Planning Framework](#)²³
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)²⁴
- [Creating Places –A Policy Statement on Architecture and Place for Scotland](#)²⁵
- [Designing Streets](#)²⁶
- [Planning Advice Note 77: Designing Safer Places](#)²⁷
- [Green Infrastructure: Design and Placemaking](#)²⁸

23 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

24 www.scotland.gov.uk/Publications/2011/03/17091927/0

25 www.scotland.gov.uk/Publications/2013/06/9811/0

26 www.scotland.gov.uk/Publications/2010/03/22120652/0

27 www.scotland.gov.uk/Publications/2006/03/08094923/0

28 www.scotland.gov.uk/Publications/2011/11/04140525/0

Delivery

47. Planning should adopt a consistent and relevant approach to the assessment of design and place quality such as that set out in the forthcoming Scottish Government Place Standard.

Development Planning

48. Strategic and local development plans should be based on spatial strategies that are deliverable, taking into account the scale and type of development pressure and the need for growth and regeneration. An urban capacity study, which assesses the scope for development within settlement boundaries, may usefully inform the spatial strategy, and local authorities should make use of land assembly, including the use of [compulsory purchase powers](#)²⁹ where appropriate. Early discussion should take place between local authorities, developers and relevant agencies to ensure that investment in necessary new infrastructure is addressed in a timely manner.

49. For most settlements, a green belt is not necessary as other policies can provide an appropriate basis for directing development to the right locations. However, where the planning authority considers it appropriate, the development plan may designate a green belt around a city or town to support the spatial strategy by:

- directing development to the most appropriate locations and supporting regeneration;
- protecting and enhancing the character, landscape setting and identity of the settlement; and
- protecting and providing access to open space.

50. In developing the spatial strategy, planning authorities should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt.

51. The spatial form of the green belt should be appropriate to the location. It may encircle a settlement or take the shape of a buffer, corridor, strip or wedge. Local development plans should show the detailed boundary of any green belt, giving consideration to:

- excluding existing settlements and major educational and research uses, major businesses and industrial operations, airports and Ministry of Defence establishments;
- the need for development in smaller settlements within the green belt, where appropriate leaving room for expansion;
- redirecting development pressure to more suitable locations; and
- establishing clearly identifiable visual boundary markers based on landscape features such as rivers, tree belts, railways or main roads³⁰. Hedges and field enclosures will rarely provide a sufficiently robust boundary.

52. Local development plans should describe the types and scales of development which would be appropriate within a green belt. These may include:

- development associated with agriculture, including the reuse of historic agricultural buildings;
- development associated with woodland and forestry, including community woodlands;
- horticulture, including market gardening and directly connected retailing;

²⁹ www.scotland.gov.uk/Topics/archive/National-Planning-Policy/themes/ComPur

³⁰ Note: where a main road forms a green belt boundary, any proposed new accesses would still require to meet the usual criteria.

- recreational uses that are compatible with an agricultural or natural setting;
- essential infrastructure such as digital communications infrastructure and electricity grid connections;
- development meeting a national requirement or established need, if no other suitable site is available; and
- intensification of established uses subject to the new development being of a suitable scale and form.

53. The creation of a new settlement may occasionally be a necessary part of a spatial strategy, where it is justified either by the scale and nature of the housing land requirement and the existence of major constraints to the further growth of existing settlements, or by its essential role in promoting regeneration or rural development.

54. Where a development plan spatial strategy indicates that a new settlement is appropriate, it should specify its scale and location, and supporting infrastructure requirements, particularly where these are integral to the viability and deliverability of the proposed development. Supplementary guidance can address more detailed issues such as design and delivery.

55. Local development plans should contribute to high-quality places by setting out how they will embed a design-led approach. This should include:

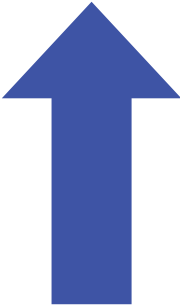

- reference to the six qualities of successful places which enable consideration of each place as distinctly different from other places and which should be evident in all development;
- using processes that harness and utilise the knowledge of communities and encourage active participation to deliver places with local integrity and relevance; and
- specifying when design tools, such as those at paragraph 57 should be used.

Development Management

56. Design is a material consideration in determining planning applications. Planning permission may be refused and the refusal defended at appeal or local review solely on design grounds.

Tools for Making Better Places

57. Design tools guide the quality of development in and across places to promote positive change. They can help to provide certainty for stakeholders as a contribution to sustainable economic growth. Whichever tools are appropriate to the task, they should focus on delivering the six qualities of successful places and could be adopted as supplementary guidance.

Scale	Tool
<p style="text-align: center;">STRATEGIC</p> <div style="text-align: center;">  </div> <div style="text-align: center; margin-top: 200px;">  </div> <p style="text-align: center;">SITE SPECIFIC</p>	<p>Design Frameworks</p> <p>For larger areas of significant change, so must include some flexibility.</p> <p>To address major issues in a co-ordinated and viable way.</p> <p>May include general principles as well as maps and diagrams to show the importance of connections around and within a place.</p>
	<p>Development Briefs</p> <p>For a place or site, to form the basis of dialogue between the local authority and developers.</p> <p>To advise how policies should be implemented.</p> <p>May include detail on function, layout, plot sizes, building heights and lines, and materials.</p>
	<p>Master Plans</p> <p>For a specific site that may be phased so able to adapt over time.</p> <p>To describe and illustrate how a proposal will meet the vision and how it will work on the ground.</p> <p>May include images showing the relationship of people and place.</p> <p>See Planning Advice Note 83: Masterplanning³¹</p>
	<p>Design Guides</p> <p>For a particular subject, e.g. shop fronts.</p> <p>To show how development can be put into practice in line with policy.</p> <p>Includes detail, e.g. images of examples.</p>
	<p>Design Statements</p> <p>Required to accompany some planning applications.</p> <p>To explain how the application meets policy and guidance, for example by close reference to key considerations of street design with Designing Streets.</p> <p>See Planning Advice Note 68: Design Statements³²</p>

31 www.scotland.gov.uk/Publications/2008/11/10114526/0

32 www.scotland.gov.uk/Publications/2003/08/18013/25389

Subject Policies

A Successful, Sustainable Place

Promoting Town Centres

NPF and wider context

58. NPF3 reflects the importance of town centres as a key element of the economic and social fabric of Scotland. Much of Scotland's population lives and works in towns, within city regions, in our rural areas and on our coasts and islands. Town centres are at the heart of their communities and can be hubs for a range of activities. It is important that planning supports the role of town centres to thrive and meet the needs of their residents, businesses and visitors for the 21st century.

59. The town centre first principle, stemming from the Town Centre Action Plan, promotes an approach to wider decision-making that considers the health and vibrancy of town centres.

Policy Principles

60. Planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. The planning system should:

- apply a town centre first policy³³ when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities;
- encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening;
- ensure development plans, decision-making and monitoring support successful town centres; and
- consider opportunities for promoting residential use within town centres where this fits with local need and demand.

Key Documents

- [National Review of Town Centres External Advisory Group Report: Community and Enterprise in Scotland's Town Centres](#)³⁴
- [Town Centre Action Plan – the Scottish Government response](#)³⁵
- [Planning Advice Note 59: Improving Town Centres](#)³⁶
- [Planning Advice Note 52: Planning and Small Towns](#)³⁷

33 A town centre first policy is intended to support town centres, where these exist, or new centres which are supported by the development plan. Where there are no town centres in the vicinity, for example in more remote rural and island areas, the expectation is that local centres will be supported. The town centre first policy is not intended to divert essential services and developments away from such rural areas. See section on Rural Development.

34 www.scotland.gov.uk/Resource/0042/00426972.pdf

35 www.scotland.gov.uk/Publications/2013/11/6415

36 www.scotland.gov.uk/Publications/1999/10/pan59-root/pan59

37 www.scotland.gov.uk/Publications/1997/04/pan52

- [Town Centres Masterplanning Toolkit](#)³⁸

Development Plans

61. Plans should identify a network of centres and explain how they can complement each other. The network is likely to include city centres, town centres, local centres and commercial centres and may be organised as a hierarchy. Emerging or new centres designated within key new developments or land releases should also be shown within the network of centres. In remoter rural and island areas, it may not be necessary to identify a network.

62. Plans should identify as town centres those centres which display:

- a diverse mix of uses, including shopping;
- a high level of accessibility;
- qualities of character and identity which create a sense of place and further the well-being of communities;
- wider economic and social activity during the day and in the evening; and
- integration with residential areas.

63. Plans should identify as commercial centres those centres which have a more specific focus on retailing and/or leisure uses, such as shopping centres, commercial leisure developments, mixed retail and leisure developments, retail parks and factory outlet centres. Where necessary to protect the role of town centres, plans should specify the function of commercial centres, for example where retail activity may be restricted to the sale of bulky goods.

64. Local authorities, working with community planning partners, businesses and community groups as appropriate, should prepare a town centre health check. Annex A sets out a range of indicators which may be relevant. The purpose of a health check is to assess a town centre's strengths, vitality and viability, weaknesses and resilience. It will be used to inform development plans and decisions on planning applications. Health checks should be regularly updated, to monitor town centre performance, preferably every two years.

65. Local authorities, working with partners, should use the findings of the health check to develop a strategy to deliver improvements to the town centre. Annex A contains guidance on key elements in their preparation.

66. The spatial elements of town centre strategies should be included in the development plan or supplementary guidance. Plans should address any significant changes in the roles and functions of centres over time, where change is supported by the results of a health check. Plans should assess how centres can accommodate development and identify opportunities.

67. There are concerns about the number and clustering of some non-retail uses, such as betting offices and high interest money lending premises, in some town and local centres. Plans should include policies to support an appropriate mix of uses in town centres, local centres and high streets. Where a town centre strategy indicates that further provision of particular activities would undermine the character and amenity of centres or the well-being of communities, plans should include policies to prevent such over-provision and clustering.

³⁸ <http://creatingplacescotland.org/people-communities/policy/town-centre-masterplanning-toolkit#overlay-context=people-communities/policy>

68. Development plans should adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities. This requires that locations are considered in the following order of preference:

- town centres (including city centres and local centres);
- edge of town centre;
- other commercial centres identified in the development plan; and
- out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.

69. Planning authorities, developers, owners and occupiers should be flexible and realistic in applying the sequential approach, to ensure that different uses are developed in the most appropriate locations. It is important that community, education and healthcare facilities are located where they are easily accessible to the communities that they are intended to serve.

Development Management

70. Decisions on development proposals should have regard to the context provided by the network of centres identified in the development plan and the sequential approach outlined above. New development in a town centre should contribute to providing a range of uses and should be of a scale which is appropriate to that centre. The impact of new development on the character and amenity of town centres, local centres and high streets will be a material consideration in decision-making. The aim is to recognise and prioritise the importance of town centres and encourage a mix of developments which support their vibrancy, vitality and viability. This aim should also be taken into account in decisions concerning proposals to expand or change the use of existing development.

71. Where development proposals in edge of town centre, commercial centre or out-of-town locations are contrary to the development plan, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing town centres is acceptable. Where a new public building or office with a gross floorspace over 2,500m² is proposed outwith a town centre, and is contrary to the development plan, an assessment of the impact on the town centre should be carried out. Where a retail and leisure development with a gross floorspace over 2,500m² is proposed outwith a town centre, contrary to the development plan, a retail impact analysis should be undertaken. For smaller retail and leisure proposals which may have a significant impact on vitality and viability, planning authorities should advise when retail impact analysis is necessary.

72. This analysis should consider the relationship of the proposed development with the network of centres identified in the development plan. Where possible, authorities and developers should agree the data required and present information on areas of dispute in a succinct and comparable form. Planning authorities should consider the potential economic impact of development and take into account any possible displacement effect.

73. Out-of-centre locations should only be considered for uses which generate significant footfall³⁹ where:

- all town centre, edge of town centre and other commercial centre options have been assessed and discounted as unsuitable or unavailable;

³⁹ As noted at paragraph 69, a flexible approach is required for community, education and healthcare facilities.

- the scale of development proposed is appropriate, and it has been shown that the proposal cannot reasonably be altered or reduced in scale to allow it to be accommodated at a sequentially preferable location;
- the proposal will help to meet qualitative or quantitative deficiencies; and
- there will be no significant adverse effect on the vitality and viability of existing town centres.

Promoting Rural Development

NPF Context

74. NPF3 sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education. The character of rural and island areas and the challenges they face vary greatly across the country, from pressurised areas of countryside around towns and cities to more remote and sparsely populated areas. Between these extremes are extensive intermediate areas under varying degrees of pressure and with different kinds of environmental assets meriting protection. Scotland's long coastline is an important resource both for development and for its particular environmental quality, especially in the areas of the three island councils.

Policy Principles

75. The planning system should:

- in all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces;
- encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and
- support an integrated approach to coastal planning.

Key documents

- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁴⁰
- National Marine Plan

Delivery

76. In the pressurised areas easily accessible from Scotland's cities and main towns, where ongoing development pressures are likely to continue, it is important to protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside, particularly where there are environmental assets such as sensitive landscapes or good quality agricultural land. Plans should make provision for most new urban development to take place within, or in planned extensions to, existing settlements.

77. In remote and fragile areas and island areas outwith defined small towns, the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place.

78. In the areas of intermediate accessibility and pressure for development, plans should be tailored to local circumstances, seeking to provide a sustainable network of settlements and a

⁴⁰ www.scotland.gov.uk/Publications/2011/03/17091927/0

range of policies that provide for additional housing requirements, economic development, and the varying proposals that may come forward, while taking account of the overarching objectives and other elements of the plan.

79. Plans should set out a spatial strategy which:

- reflects the development pressures, environmental assets, and economic needs of the area, reflecting the overarching aim of supporting diversification and growth of the rural economy;
- promotes economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced;
- makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of local communities;
- where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts;
- addresses the resource implications of the proposed pattern of development, including facilitating access to local community services and support for public transport; and
- considers the services provided by the natural environment, safeguarding land which is highly suitable for particular uses such as food production or flood management.

80. Where it is necessary to use good quality land for development, the layout and design should minimise the amount of such land that is required. Development on [prime agricultural land](#), or land of lesser quality that is locally important should not be permitted except where it is essential:

- as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available; or
- for small-scale development directly linked to a rural business; or
- for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is secure provision for restoration to return the land to its former status.

81. In accessible or pressured rural areas, where there is a danger of unsustainable growth in long-distance car-based commuting or suburbanisation of the countryside, a more restrictive approach to new housing development is appropriate, and plans and decision-making should generally:

- guide most new development to locations within or adjacent to settlements; and
- set out the circumstances in which new housing outwith settlements may be appropriate, avoiding use of occupancy restrictions.

82. In some most pressured areas, the designation of green belts may be appropriate.

83. In remote rural areas, where new development can often help to sustain fragile communities, plans and decision-making should generally:

- encourage sustainable development that will provide employment;
- support and sustain fragile and dispersed communities through provision for appropriate development, especially housing and community-owned energy;

- include provision for small-scale housing⁴¹ and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact;
- where appropriate, allow the construction of single houses outwith settlements provided they are well sited and designed to fit with local landscape character, taking account of landscape protection and other plan policies;
- not impose occupancy restrictions on housing.

National Parks

84. National Parks are designated under the National Parks (Scotland) Act 2000 because they are areas of national importance for their natural and cultural heritage. The four aims of national parks are to:

- conserve and enhance the natural and cultural heritage of the area;
- promote sustainable use of the natural resources of the area;
- promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- promote sustainable economic and social development of the area's communities.

85. These aims are to be pursued collectively. However if there is a conflict between the first aim and any of the others then greater weight must be given to the first aim. Planning decisions should reflect this weighting. Paragraph 213 also applies to development outwith a National Park that affects the Park.

86. Development plans for National Parks are expected to be consistent with the National Park Plan, which sets out the management strategy for the Park. The authority preparing a development plan for a National Park, or which affects a National Park, is required to pay special attention to the desirability of consistency with the National Park Plan, having regard to the contents.

Coastal Planning

87. The planning system should support an integrated approach to coastal planning to ensure that development plans and regional marine plans are complementary. Terrestrial planning by planning authorities overlaps with marine planning in the intertidal zone. On the terrestrial side, mainland planning authorities should work closely with neighbouring authorities, taking account of the needs of port authorities and aquaculture, where appropriate. On the marine side, planning authorities will need to ensure integration with policies and activities arising from the National Marine Plan, Marine Planning Partnerships, Regional Marine Plans, and Integrated Coastal Zone Management, as well as aquaculture.

Development Plans

88. Plans should recognise that rising sea levels and more extreme weather events resulting from climate change will potentially have a significant impact on coastal and island areas, and that a precautionary approach to flood risk should be taken. They should confirm that new development requiring new defences against coastal erosion or coastal flooding will not be supported except where there is a clear justification for a departure from the general policy to

⁴¹ including clusters and groups; extensions to existing clusters and groups; replacement housing; plots for self build; holiday homes; new build or conversion linked to rural business.

avoid development in areas at risk. Where appropriate, development plans should identify areas at risk and areas where a managed realignment of the coast would be beneficial.

89. Plans should identify areas of largely developed coast that are a major focus of economic or recreational activity that are likely to be suitable for further development; areas subject to significant constraints; and largely unspoiled areas of the coast that are generally unsuitable for development. It should be explained that this broad division does not exclude important local variations, for example where there are areas of environmental importance within developed estuaries, or necessary developments within the largely unspoiled coast where there is a specific locational need, for example for defence purposes, tourism developments of special significance, or essential onshore developments connected with offshore energy projects or (where appropriate) aquaculture.

90. Plans should promote the developed coast as the focus of developments requiring a coastal location or which contribute to the economic regeneration or well-being of communities whose livelihood is dependent on marine or coastal activities. They should provide for the development requirements of uses requiring a coastal location, including ports and harbours, tourism and recreation, fish farming, land-based development associated with offshore energy projects and specific defence establishments.

91. Plans should safeguard unspoiled sections of coast which possess special environmental or cultural qualities, such as wild land. The economic value of these areas should be considered and maximised, provided that environmental impact issues can be satisfactorily addressed.

Supporting Business and Employment

NPF Context

92. NPF3 supports the many and varied opportunities for planning to support business and employment. These range from a focus on the role of cities as key drivers of our economy, to the continuing need for diversification of our rural economy to strengthen communities and retain young people in remote areas. Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits.

Policy Principles

93. The planning system should:

- promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets;
- allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and
- give due weight to net economic benefit of proposed development.

Key Documents

- [Government Economic Strategy](#)⁴²

⁴² www.scotland.gov.uk/Topics/Economy/EconomicStrategy

- [Tourism Development Framework for Scotland](#)⁴³
- [A Guide to Development Viability](#)⁴⁴

Delivery

Development Planning

94. Plans should align with relevant local economic strategies. These will help planning authorities to meet the needs and opportunities of indigenous firms and inward investors, recognising the potential of key sectors for Scotland with particular opportunities for growth, including:

- energy;
- life sciences, universities and the creative industries;
- tourism and the food and drink sector;
- financial and business services.

95. Plans should encourage opportunities for home-working, live-work units, micro-businesses and community hubs.

96. Development plans should support opportunities for integrating efficient energy and waste innovations within business environments. Industry stakeholders should engage with planning authorities to help facilitate co-location, as set out in paragraph 179.

97. Strategic development plan policies should reflect a robust evidence base in relation to the existing principal economic characteristics of their areas, and any anticipated change in these.

98. Strategic development plans should identify an appropriate range of locations for significant business clusters. This could include sites identified in the [National Renewables Infrastructure Plan](#)⁴⁵, [Enterprise Areas](#)⁴⁶, business parks, science parks, large and medium-sized industrial sites and high amenity sites.

99. Strategic development plans and local development plans outwith SDP areas should identify any nationally important clusters of industries [handling hazardous substances](#) within their areas and safeguard them from development which, either on its own or in combination with other development, would compromise their continued operation or growth potential. This is in the context of the wider statutory requirements in the Town and Country Planning (Development Planning) (Scotland) Regulations 2009⁴⁷ to have regard to the need to maintain appropriate distances between sites with hazardous substances and areas where the public are likely to be present and areas of particular natural sensitivity or interest.

100. Development plans should be informed by the Tourism Development Framework for Scotland in order to maximise the sustainable growth of regional and local visitor economies. Strategic development plans should identify and safeguard any nationally or regionally important locations for tourism or recreation development within their areas.

43 www.visitscotland.org/pdf/Tourism%20Development%20Framework%20-%20FINAL.pdf

44 www.scotland.gov.uk/Resource/Doc/212607/0109620.pdf

45 www.scottish-enterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewables-infrastructure-plan.ashx

46 www.scotland.gov.uk/Topics/Economy/EconomicStrategy/Enterprise-Areas

47 These statutory requirements are due to be amended in 2015 as part of the implementation of Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances.

101. Local development plans should allocate a range of sites for business, taking account of current market demand; location, size, quality and infrastructure requirements; whether sites are serviced or serviceable within five years; the potential for a mix of uses; their accessibility to transport networks by walking, cycling and public transport and their integration with and access to existing transport networks. The allocation of such sites should be informed by relevant economic strategies and business land audits in respect of land use classes 4, 5 and 6.

102. Business land audits should be undertaken regularly by local authorities to inform reviews of development plans, and updated more frequently if relevant. Business land audits should monitor the location, size, planning status, existing use, neighbouring land uses and any significant land use issues (e.g. underused, vacant, derelict) of sites within the existing business land supply.

103. New sites should be identified where existing sites no longer meet current needs and market expectations. Where existing business sites are underused, for example where there has been an increase in vacancy rates, reallocation to enable a wider range of viable business or alternative uses should be considered, taking careful account of the potential impacts on existing businesses on the site.

104. Local development plans should locate development which generates significant freight movements, such as manufacturing, processing, distribution and warehousing, on sites accessible to suitable railheads or harbours or the strategic road network. Through appraisal, care should be taken in locating such development to minimise any impact on congested, inner urban and residential areas.

105. Planning authorities should consider the potential to promote opportunities for tourism and recreation facilities in their development plans. This may include new developments or the enhancement of existing facilities.

Development Management

106. Efficient handling of planning applications should be a key priority, particularly where jobs and investment are involved. To assist with this, pre-application discussions are strongly encouraged to determine the information that should be submitted to support applications. Such information should be proportionate and relevant to the development and sufficient for the planning authority requirements on matters such as the number of jobs to be created, hours of working, transport requirements, environmental effects, noise levels and the layout and design of buildings. Decisions should be guided by the principles set out in paragraphs 28 to 35.

107. Proposals for development in the vicinity of [major-accident hazard sites](#) should take into account the potential impacts on the proposal and the major-accident hazard site of being located in proximity to one another. Decisions should be informed by the Health and Safety Executive's advice, based on the [PADHI](#) tool. Similar considerations apply in respect of development proposals near licensed explosive sites (including military explosive storage sites).

108. Proposals for business, industrial and service uses should take into account surrounding sensitive uses, areas of particular natural sensitivity or interest and local amenity, and make a positive contribution towards placemaking.

Enabling Delivery of New Homes

NPF Context

109. NPF3 aims to facilitate new housing development, particularly in areas within our cities network where there is continuing pressure for growth, and through innovative approaches to rural housing provision. House building makes an important contribution to the economy. Planning can help to address the challenges facing the housing sector by providing a positive and flexible approach to development. In particular, provision for new homes should be made in areas where economic investment is planned or there is a need for regeneration or to support population retention in rural and island areas.

Policy Principles

110. The planning system should:

- identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times;
- enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

Key Documents

- [The Housing \(Scotland\) Act 2001](#)⁴⁸ requires local authorities to prepare a local housing strategy supported by an assessment of housing need and demand
- [Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits](#)⁴⁹

Delivery

111. Local authorities should identify functional housing market areas, i.e. geographical areas where the demand for housing is relatively self-contained. These areas may significantly overlap and will rarely coincide with local authority boundaries. They can be dynamic and complex, and can contain different tiers of sub-market area, overlain by mobile demand, particularly in city regions.

112. Planning for housing should be undertaken through joint working by housing market partnerships, involving both housing and planning officials within local authorities, and cooperation between authorities where strategic planning responsibilities and/or housing market areas are shared, including national park authorities. Registered social landlords, developers, other specialist interests, and local communities should also be encouraged to engage with housing market partnerships. In rural or island areas where there is no functional housing market area, the development plan should set out the most appropriate approach for the area.

48 www.legislation.gov.uk/asp/2001/10/contents

49 www.scotland.gov.uk/Publications/2010/08/31111624/0

Development Planning

113. Plans should be informed by a robust housing need and demand assessment (HNDA), prepared in line with the Scottish Government’s HNDA Guidance⁵⁰. This assessment provides part of the evidence base to inform both local housing strategies and development plans (including the main issues report). It should produce results both at the level of the functional housing market area and at local authority level, and cover all tenures. Where the Scottish Government is satisfied that the HNDA is robust and credible, the approach used will not normally be considered further at a development plan examination.

114. The HNDA, development plan, and local housing strategy processes should be closely aligned, with joint working between housing and planning teams. Local authorities may wish to wait until the strategic development plan is approved in city regions, and the local development plan adopted elsewhere, before finalising the local housing strategy, to ensure that any modifications to the plans can be reflected in local housing strategies, and in local development plans in the city regions.

115. Plans should address the supply of land for all housing. They should set out the **housing supply target** (separated into affordable and market sector) for each functional housing market area, based on evidence from the HNDA. The housing supply target is a policy view of the number of homes the authority has agreed will be delivered in each housing market area over the periods of the development plan and local housing strategy, taking into account wider economic, social and environmental factors, issues of capacity, resource and deliverability, and other important requirements such as the aims of National Parks. The target should be reasonable, should properly reflect the HNDA estimate of housing demand in the market sector, and should be supported by compelling evidence. The authority’s housing supply target should also be reflected in the local housing strategy.

116. Within the overall housing supply target⁵¹, plans should indicate the number of new homes to be built over the plan period. This figure should be increased by a margin of 10 to 20% to establish the housing land requirement, in order to ensure that a generous supply of land for housing is provided. The exact extent of the margin will depend on local circumstances, but a robust explanation for it should be provided in the plan.

117. The housing land requirement can be met from a number of sources, most notably sites from the established supply which are effective or expected to become effective in the plan period, sites with planning permission, proposed new land allocations, and in some cases a proportion of windfall development. Any assessment of the expected contribution to the housing land requirement from **windfall sites** must be realistic and based on clear evidence of past completions and sound assumptions about likely future trends. In urban areas this should be informed by an urban capacity study.

118. Strategic development plans should set out the **housing supply target** and the housing land requirement for the plan area, each local authority area, and each functional housing market area. They should also state the amount and broad locations of land which should be allocated in local development plans to meet the housing land requirement up to year 12 from the expected year of plan approval, making sure that the requirement for each housing market area is met in full. Beyond year 12 and up to year 20, the strategic development plan should provide an indication of the possible scale and location of housing land, including by local development plan area.

⁵⁰ www.scotland.gov.uk/Topics/Built-Environment/Housing/supply-demand/chma/hnda

⁵¹ Note: the housing supply target may in some cases include a contribution from other forms of delivery, for example a programme to bring empty properties back into use.

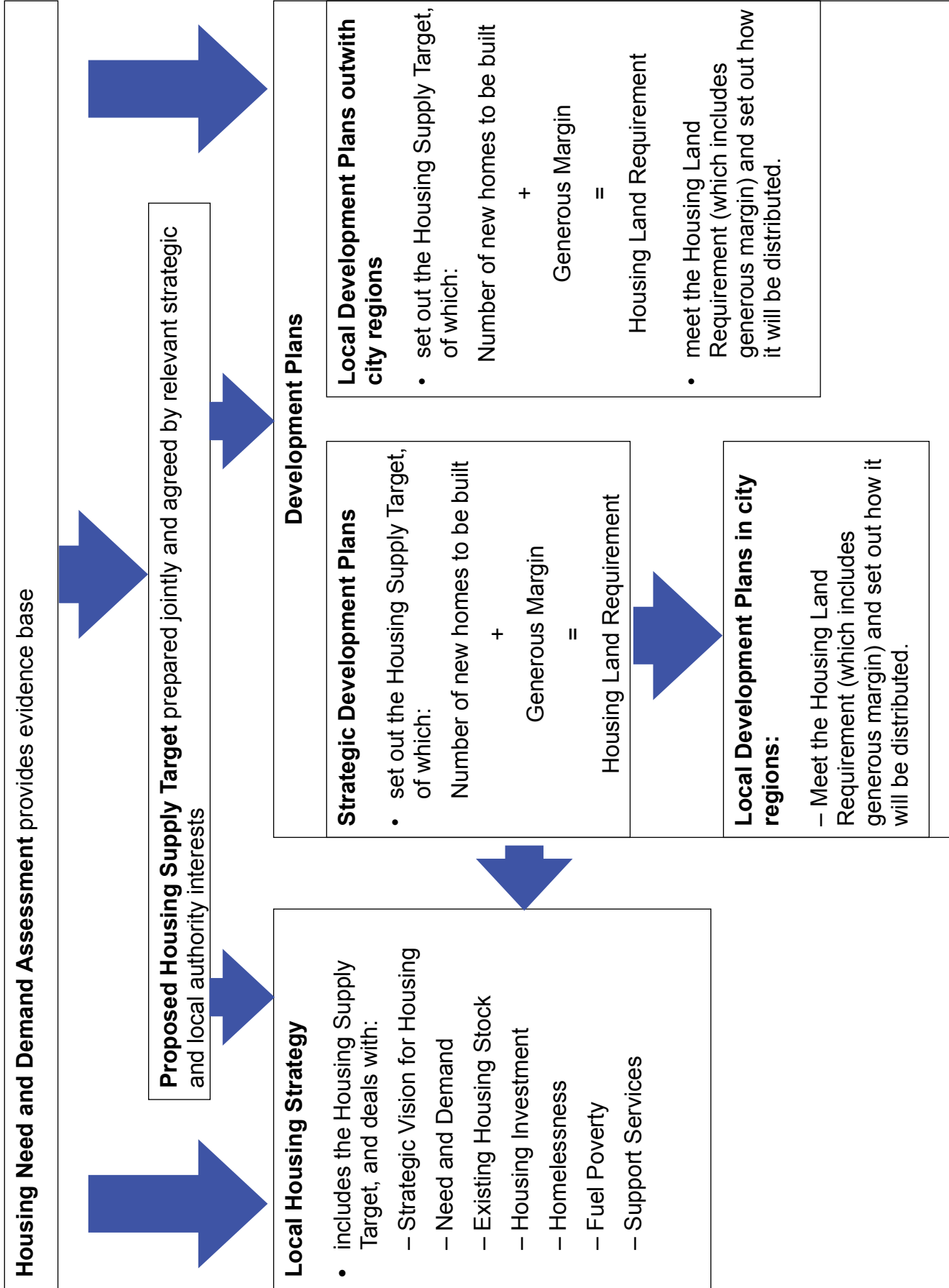
119. Local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption. They should provide for a minimum of 5 years effective land supply at all times. In allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.

120. Outwith city regions, local development plans should set out the housing supply target (separated into affordable and market sector) and the housing land requirement for each housing market area in the plan area up to year 10 from the expected year of adoption. They should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full. They should provide a minimum of 5 years effective land supply at all times. Beyond year 10 and up to year 20, the local development plan should provide an indication of the possible scale and location of the housing land requirement.

121. In the National Parks, local development plans should draw on the evidence provided by the HNDAs of the constituent housing authorities. National Park authorities should aim to meet the housing land requirement in full in their area. However, they are not required to do so, and they should liaise closely with neighbouring planning authorities to ensure that any remaining part of the housing land requirement for the National Parks is met in immediately adjoining housing market areas, and that a 5-year supply of effective land is maintained.

122. Local development plans should allocate appropriate sites to support the creation of sustainable mixed communities and successful places and help to ensure the continued delivery of new housing.

Diagram 1: Housing Land, Development Planning and the Local Housing Strategy



Maintaining a 5-year Effective Land Supply

123. Planning authorities should actively manage the housing land supply. They should work with housing and infrastructure providers to prepare an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions, to ensure a generous supply of land for house building is maintained and there is always enough effective land for at least five years. A site is only considered effective where it can be demonstrated that within five years it will be free of constraints⁵² and can be developed for housing. In remoter rural areas and island communities, where the housing land requirement and market activity are of a more limited scale, the housing land audit process may be adapted to suit local circumstances.

124. The development plan action programme, prepared in tandem with the plan, should set out the key actions necessary to bring each site forward for housing development and identify the lead partner. It is a key tool, and should be used alongside the housing land audit to help planning authorities manage the land supply.

125. Planning authorities, developers, service providers and other partners in housing provision should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach. Where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date, and paragraphs 32-35 will be relevant.

Affordable Housing

126. Affordable housing is defined broadly as housing of a reasonable quality that is affordable to people on modest incomes. Affordable housing may be provided in the form of social rented accommodation, mid-market rented accommodation, shared ownership housing, shared equity housing, housing sold at a discount (including plots for self-build), and low cost housing without subsidy.

127. Where the housing supply target requires provision for affordable housing, strategic development plans should state how much of the total housing land requirement this represents.

128. Local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. Where the HNDA and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing. Advice on the range of possible options for provision of affordable housing is set out in PAN 2/2010.

129. Plans should identify any expected developer contributions towards delivery of affordable housing. Where a contribution is required, this should generally be for a specified proportion of the serviced land within a development site to be made available for affordable housing. Planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. Consideration should also be given to the nature of the affordable housing required and the extent to which this can be met by proposals capable of development with little or no public subsidy. Where permission is sought for specialist housing, as described in paragraphs 132-134, a contribution to affordable housing may not always be required.

⁵² Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits sets out more fully the measure of effective sites www.scotland.gov.uk/Publications/2010/08/31111624/5

130. Plans should consider how affordable housing requirements will be met over the period of the plan. Planning and housing officials should work together closely to ensure that the phasing of land allocations and the operation of affordable housing policies combine to deliver housing across the range of tenures. In rural areas, where significant unmet local need for affordable housing has been shown, it may be appropriate to introduce a 'rural exceptions' policy which allows planning permission to be granted for affordable housing on small sites that would not normally be used for housing, for example because they lie outwith the adjacent built-up area and are subject to policies of restraint.

131. Any detailed policies on how the affordable housing requirement is expected to be delivered, including any differences in approach for urban and rural areas, should be set out in supplementary guidance. Where it is considered that housing built to meet an identified need for affordable housing should remain available to meet such needs in perpetuity, supplementary guidance should set out the measures to achieve this. Any specific requirements on design may also be addressed in supplementary guidance.

Specialist Housing Provision and Other Specific Needs

132. As part of the HNDA, local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing. This supports independent living for elderly people and those with a disability. Where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites.

133. HNDAs will also evidence need for sites for Gypsy/Travellers and Travelling Showpeople. Development plans and local housing strategies should address any need identified, taking into account their mobile lifestyles. In city regions, the strategic development plan should have a role in addressing cross-boundary considerations. If there is a need, local development plans should identify suitable sites for these communities. They should also consider whether policies are required for small privately-owned sites for Gypsy/Travellers, and for handling applications for permanent sites for Travelling Showpeople (where account should be taken of the need for storage and maintenance of equipment as well as accommodation). These communities should be appropriately involved in identifying sites for their use.

134. Local development plans should address any need for houses in multiple occupation (HMO). More information is provided in Circular 2/2012 Houses in Multiple Occupation⁵³. Planning authorities should also consider the housing requirements of service personnel and sites for people seeking self-build plots. Where authorities believe it appropriate to allocate suitable sites for self-build plots, the sites may contribute to meeting the housing land requirement.

⁵³ www.scotland.gov.uk/Publications/2012/06/4191

Valuing the Historic Environment

NPF and wider policy context

135. NPF3 recognises the contribution made by our cultural heritage to our economy, cultural identity and quality of life. Planning has an important role to play in maintaining and enhancing the distinctive and high-quality, irreplaceable historic places which enrich our lives, contribute to our sense of identity and are an important resource for our tourism and leisure industry.

136. The [historic environment](#) is a key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places. Culture-led regeneration can have a profound impact on the well-being of a community in terms of the physical look and feel of a place and can also attract visitors, which in turn can bolster the local economy and sense of pride or ownership.

Policy Principles

137. The planning system should:

- promote the care and protection of the designated and non-designated historic environment (including individual assets, related [settings](#) and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and
- enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.

Key Documents

- [Scottish Historic Environment Policy](#)⁵⁴
- [Historic Environment Strategy for Scotland](#)⁵⁵
- [Managing Change in the Historic Environment – Historic Scotland’s guidance note series](#)⁵⁶
- [Planning Advice Note 2/2011: Planning and Archaeology](#)⁵⁷
- [Planning Advice Note 71: Conservation Area Management](#)⁵⁸
- [Scottish Historic Environment Databases](#)⁵⁹

⁵⁴ www.historic-scotland.gov.uk/index/heritage/policy/shep.htm

⁵⁵ www.scotland.gov.uk/Publications/2014/03/8522

⁵⁶ www.historic-scotland.gov.uk/managingchange

⁵⁷ www.scotland.gov.uk/Publications/2011/08/04132003/0

⁵⁸ www.scotland.gov.uk/Publications/2004/12/20450/49052

⁵⁹ <http://smrforum-scotland.org.uk/wp-content/uploads/2014/03/SHED-Strategy-Final-April-2014.pdf>

Delivery

Development Planning

138. Strategic development plans should protect and promote their significant historic environment assets. They should take account of the capacity of settlements and surrounding areas to accommodate development without damage to their historic significance.

139. Local development plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment. Local planning authorities should designate and review existing and potential conservation areas and identify existing and proposed [Article 4 Directions](#). This should be supported by Conservation Area Appraisals and Management Plans.

Development Management

140. The siting and design of development should take account of all aspects of the historic environment. In support of this, planning authorities should have access to a Sites and Monuments Record (SMR) and/or a Historic Environment Record (HER) that contains necessary information about known historic environment features and finds in their area.

Listed Buildings

141. Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.

142. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Conservation Areas

143. Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance. Where the demolition of an unlisted building is proposed through Conservation Area Consent, consideration should be given to the contribution the building makes to the character and appearance of the conservation area. Where a building makes a positive contribution the presumption should be to retain it.

144. Proposed works to trees in conservation areas require prior notice to the planning authority and statutory Tree Preservation Orders⁶⁰ can increase the protection given to such trees. Conservation Area Appraisals should inform development management decisions.

⁶⁰ www.scotland.gov.uk/Publications/2011/01/28152314/0

Scheduled Monuments

145. Where there is potential for a proposed development to have an adverse effect on a [scheduled monument](#) or on the integrity of its setting, permission should only be granted where there are exceptional circumstances. Where a proposal would have a direct impact on a scheduled monument, the written consent of Scottish Ministers via a separate process is required in addition to any other consents required for the development.

Historic Marine Protected Areas

146. Where planning control extends offshore, planning authorities should ensure that development will not significantly hinder the preservation objectives of [Historic Marine Protected Areas](#).

World Heritage Sites

147. World Heritage Sites are of international importance. Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its [Outstanding Universal Value](#).

Gardens and Designed Landscapes

148. Planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance.

Battlefields

149. Planning authorities should seek to protect, conserve and, where appropriate, enhance the key landscape characteristics and special qualities of sites in the Inventory of Historic Battlefields.

Archaeology and Other Historic Environment Assets

150. Planning authorities should protect archaeological sites and monuments as an important, finite and non-renewable resource and preserve them in situ wherever possible. Where in situ preservation is not possible, planning authorities should, through the use of conditions or a legal obligation, ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. If archaeological discoveries are made, they should be reported to the planning authority to enable discussion on appropriate measures, such as inspection and recording.

151. There is also a range of non-designated historic assets and areas of historical interest, including historic landscapes, other gardens and designed landscapes, woodlands and routes such as drove roads which do not have statutory protection. These resources are, however, an important part of Scotland's heritage and planning authorities should protect and preserve significant resources as far as possible, in situ wherever feasible.

A Low Carbon Place

Delivering Heat and Electricity

NPF Context

152. NPF3 is clear that planning must facilitate the transition to a low carbon economy, and help to deliver the aims of the [Scottish Government's Report on Proposals and Policies](#)⁶¹. Our spatial strategy facilitates the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector. Scotland has significant renewable energy resources, both onshore and offshore. Spatial priorities range from extending heat networks in our cities and towns to realising the potential for renewable energy generation in our coastal and island areas.

153. Terrestrial and marine planning facilitate development of renewable energy technologies, link generation with consumers and guide new infrastructure to appropriate locations. Efficient supply of low carbon and low cost heat and generation of heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities. Renewable energy also presents a significant opportunity for associated development, investment and growth of the supply chain, particularly for ports and harbours identified in the [National Renewables Infrastructure Plan](#)⁶². Communities can also gain new opportunities from increased local ownership and associated benefits.

Policy Principles

154. The planning system should:

- support the transformational change to a low carbon economy, consistent with national objectives and targets⁶³, including deriving:
 - 30% of overall energy demand from renewable sources by 2020;
 - 11% of heat demand from renewable sources by 2020; and
 - the equivalent of 100% of electricity demand from renewable sources by 2020;
- support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity – and the development of heat networks;
- guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed;
- help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:
 - Energy efficiency;
 - Heat recovery;
 - Efficient energy supply and storage;

61 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

62 www.scottish-enterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewables-infrastructure-plan.ashx

63 Further targets may be set in due course, for example district heating targets have been proposed.

- Electricity and heat from renewable sources; and
- Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced.

Key Documents

- [Electricity Generation Policy Statement](#)⁶⁴
- [2020 Routemap for Renewable Energy in Scotland](#)⁶⁵
- [Towards Decarbonising Heat: Maximising the opportunities for Scotland, Draft Heat Generation Policy Statement](#)⁶⁶
- [Low Carbon Scotland: Meeting Our Emissions Reductions Targets 2013 - 2027](#)⁶⁷

Delivery

Development Planning

155. Development plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and **cumulative impact** considerations.

156. Strategic development plans should support national priorities for the construction or improvement of strategic energy infrastructure, including generation, storage, transmission and distribution networks. They should address cross-boundary issues, promoting an approach to electricity and heat that supports the transition to a low carbon economy.

157. Local development plans should support new build developments, infrastructure or retrofit projects which deliver energy efficiency and the recovery of energy that would otherwise be wasted both in the specific development and surrounding area. They should set out the factors to be taken into account in considering proposals for energy developments. These will depend on the scale of the proposal and its relationship to the surrounding area and are likely to include the considerations set out at paragraph 169.

Heat

158. Local development plans should use heat mapping to identify the potential for co-locating developments with a high heat demand with sources of heat supply. Heat supply sources include harvestable woodlands, sawmills producing biomass, biogas production sites and developments producing unused excess heat, as well as geothermal systems, heat recoverable from mine waters, aquifers, other bodies of water and heat storage systems. Heat demand sites for particular consideration include high density developments, communities off the gas grid, fuel poor areas and **anchor developments** such as hospitals, schools, leisure centres and heat intensive industry.

159. Local development plans should support the development of heat networks in as many locations as possible, even where they are initially reliant on carbon-based fuels if there is potential to convert them to run on renewable or low carbon sources of heat in the future. Local development plans should identify where heat networks, heat storage and **energy centres** exist or would be appropriate and include policies to support their implementation. Policies should support

64 www.scotland.gov.uk/Topics/Business-Industry/Energy/EGPSMain

65 www.scotland.gov.uk/Publications/2011/08/04110353/0

66 www.scotland.gov.uk/Publications/2014/03/2778

67 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

safeguarding of piperuns within developments for later connection and pipework to the curtilage of development. Policies should also give consideration to the provision of energy centres within new development. Where a district network exists, or is planned, or in areas identified as appropriate for district heating, policies may include a requirement for new development to include infrastructure for connection, providing the option to use heat from the network.

160. Where heat networks are not viable, microgeneration and heat recovery technologies associated with individual properties should be encouraged.

Onshore Wind

161. Planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities, following the approach set out below in Table 1. Development plans should indicate the minimum scale⁶⁸ of onshore wind development that their spatial framework is intended to apply to. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales – including extensions and re-powering – taking account of the considerations set out at paragraph 169.

162. Both strategic and local development planning authorities, working together where required, should identify where there is strategic capacity for wind farms, and areas with the greatest potential for wind development, considering cross-boundary constraints and opportunities. Strategic development planning authorities are expected to take the lead in dealing with cross-boundary constraints and opportunities and will coordinate activity with constituent planning authorities.

163. The approach to spatial framework preparation set out in the SPP should be followed in order to deliver consistency nationally and additional constraints should not be applied at this stage. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and [cumulative impacts](#) (see paragraph 169).

164. Individual properties and those settlements not identified within the development plan will be protected by the safeguards set out in the local development plan policy criteria for determining wind farms and the development management considerations accounted for when determining individual applications.

165. Grid capacity should not be used as a reason to constrain the areas identified for wind farm development or decisions on individual applications for wind farms. It is for wind farm developers to discuss connections to the grid with the relevant transmission network operator. Consideration should be given to underground grid connections where possible.

166. Proposals for onshore wind turbine developments should continue to be determined while spatial frameworks and local policies are being prepared and updated. Moratoria on onshore wind development are not appropriate.

⁶⁸ For example, Loch Lomond and The Trossachs and Cairngorms National Parks refer to developments of more than one turbine and over 30 metres in height as large-scale commercial wind turbines.

Table 1: Spatial Frameworks

<p>Group 1: Areas where wind farms will not be acceptable:</p> <p>National Parks and National Scenic Areas.</p>		
<p>Group 2: Areas of significant protection:</p> <p>Recognising the need for significant protection, in these areas wind farms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.</p>		
<p>National and international designations:</p> <ul style="list-style-type: none"> • World Heritage Sites; • Natura 2000 and Ramsar sites; • Sites of Special Scientific Interest; • National Nature Reserves; • Sites identified in the Inventory of Gardens and Designed Landscapes; • Sites identified in the Inventory of Historic Battlefields. 	<p>Other nationally important mapped environmental interests:</p> <ul style="list-style-type: none"> • areas of wild land as shown on the 2014 SNH map of wild land areas; • carbon rich soils, deep peat and priority peatland habitat. 	<p>Community separation for consideration of visual impact:</p> <ul style="list-style-type: none"> • an area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The extent of the area will be determined by the planning authority based on landform and other features which restrict views out from the settlement.
<p>Group 3: Areas with potential for wind farm development:</p> <p>Beyond groups 1 and 2, wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria.</p>		

Other Renewable Electricity Generating Technologies and Storage

167. Development plans should identify areas capable of accommodating renewable electricity projects in addition to wind generation, including hydro-electricity generation related to river or tidal flows or energy storage projects of a range of scales.

168. Development plans should identify areas which are weakly connected or unconnected to the national electricity network and facilitate development of decentralised and mobile energy storage installations. Energy storage schemes help to support development of renewable energy and maintain stability of the electricity network in areas where reinforcement is needed to manage congestion. Strategic development planning authorities are expected to take the lead in dealing with cross-boundary constraints and opportunities and will coordinate activity between constituent planning authorities.

Development Management

169. Proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. Considerations will vary relative to the scale of the proposal and area characteristics but are likely to include:

- net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;
- the scale of contribution to renewable energy generation targets;
- effect on greenhouse gas emissions;
- **cumulative impacts** – planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;
- impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- landscape and visual impacts, including effects on wild land;
- effects on the natural heritage, including birds;
- impacts on carbon rich soils, using the carbon calculator;
- public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;
- impacts on the historic environment, including scheduled monuments, listed buildings and their settings;
- impacts on tourism and recreation;
- impacts on aviation and defence interests and seismological recording;
- impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- impacts on road traffic;
- impacts on adjacent trunk roads;
- effects on hydrology, the water environment and flood risk;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration;

- opportunities for energy storage; and
- the need for a robust planning obligation to ensure that operators achieve site restoration.

170. Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities.

171. Proposals for energy generation from non-renewable sources may be acceptable where carbon capture and storage or other emissions reduction infrastructure is either already in place or committed within the development's lifetime and proposals must ensure protection of good environmental standards.

172. Where new energy generation or storage proposals are being considered, the potential to connect those projects to off-grid areas should be considered.

Community Benefit

173. Where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit in line with the [Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments](#)⁶⁹.

Existing Wind Farm Sites

174. Proposals to repower existing wind farms which are already in suitable sites where environmental and other impacts have been shown to be capable of mitigation can help to maintain or enhance installed capacity, underpinning renewable energy generation targets. The current use of the site as a wind farm will be a material consideration in any such proposals.

Planning for Zero Waste

NPF and Wider Context

175. NPF3 recognises that waste is a resource and an opportunity, rather than a burden. Scotland has a Zero Waste Policy, which means wasting as little as possible and recognising that every item and material we use, either natural or manufactured, is a resource which has value for our economy. Planning plays a vital role in supporting the provision of facilities and infrastructure for future business development, investment and employment.

Policy Principles

176. The planning system should:

- promote developments that minimise the unnecessary use of primary materials and promote efficient use of secondary materials;
- support the emergence of a diverse range of new technologies and investment opportunities to secure economic value from secondary resources, including reuse, refurbishment, remanufacturing and reprocessing;
- support achievement of Scotland's zero waste targets: recycling 70% of household waste and sending no more than 5% of Scotland's annual waste arisings to landfill by 2025; and
- help deliver infrastructure at appropriate locations, prioritising development in line with the waste hierarchy: waste prevention, reuse, recycling, energy recovery and waste disposal.

69 www.scotland.gov.uk/Publications/2013/11/8279

Key Documents

- [EU revised Waste Framework Directive](#)⁷⁰ (2008/98/EC)
- [Waste \(Scotland\) Regulations 2012](#)⁷¹: a statutory framework to maximise the quantity and quality of materials available for recycling and minimise the need for residual waste infrastructure;
- [Zero Waste Plan](#)⁷² and accompanying regulations and supporting documents;
- Safeguarding Scotland's Resources: A blueprint for a more resource efficient and circular economy;
- [Circular 6/2013 Development Planning](#)⁷³;
- SEPA waste data sources: including [Waste Data Digests](#)⁷⁴ and [Waste Infrastructure Maps](#)⁷⁵;
- [SEPA Thermal Treatment of Waste Guidelines 2013](#)⁷⁶;
- [Waste capacity tables](#)⁷⁷ (formerly Zero Waste Plan Annex B capacity tables)

Delivery

177. Planning authorities and SEPA should work collaboratively to achieve zero waste objectives, having regard to the Zero Waste Plan, through development plans and development management. A revised version of PAN 63: Planning and Waste Management will be published in due course.

Development Planning

178. Plans should give effect to the aims of the Zero Waste Plan and promote the waste hierarchy.

179. For new developments, including industrial, commercial, and residential, plans should promote resource efficiency and the minimisation of waste during construction and operation.

180. Plans should enable investment opportunities in a range of technologies and industries to maximise the value of secondary resources and waste to the economy, including composting facilities, transfer stations, materials recycling facilities, anaerobic digestion, mechanical, biological and thermal treatment plants. In line with the waste hierarchy, particular attention should be given to encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products. Industry and business should engage with planning authorities to help identify sites which would enable co-location with end users of outputs where appropriate.

181. Planning authorities should have regard to the annual update of required capacity for source segregated and unsorted waste, mindful of the need to achieve the all-Scotland operational capacity. However, this should not be regarded as a cap and planning authorities should generally facilitate growth in sustainable resource management.

70 <http://ec.europa.eu/environment/waste/framework/revision.htm>

71 www.legislation.gov.uk/sdsi/2012/9780111016657/contents

72 www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy

73 www.scotland.gov.uk/Publications/2013/12/9924/0

74 www.sepa.org.uk/waste/waste_data/waste_data_digest.aspx

75 www.sepa.org.uk/waste/waste_infrastructure_maps.aspx

76 www.sepa.org.uk/waste/waste_regulation/energy_from_waste.aspx

77 www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy/annexb

182. The planning system should support the provision of a network of infrastructure to allow Scotland's waste and secondary resources to be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to protect the environment and public health. While a significant shortfall of waste management infrastructure exists, emphasis should be placed on need over proximity. The achievement of a sustainable strategy may involve waste crossing planning boundaries. However, as the national network of installations becomes more fully developed, there will be scope for giving greater weight to proximity in identifying suitable locations for new waste facilities.

183. Any sites identified specifically for energy from waste facilities should enable links to be made to potential users of renewable heat and energy. Such schemes are particularly suitable in locations where there are premises nearby with a long-term demand for heat. Paragraphs 158 to 160 set out policy on heat networks and mapping.

184. Plans should safeguard existing waste management installations and ensure that the allocation of land on adjacent sites does not compromise waste handling operations, which may operate 24 hours a day and partly outside buildings.

185. Strategic development plans and local development plans outwith city regions should set out spatial strategies which make provision for new infrastructure, indicating clearly that it can generally be accommodated on land designated for employment, industrial or storage and distribution uses.

186. Local development plans should identify appropriate locations for new infrastructure, allocating specific sites where possible, and should provide a policy framework which facilitates delivery. Suitable sites will include those which have been identified for employment, industry or storage and distribution. Updated Scottish Government planning advice on identifying sites and assessing their suitability will be provided in due course.

187. Local development plans should identify where masterplans or development briefs will be required to guide the development of waste installations for major sites.

Development Management

188. In determining applications for new installations, authorities should take full account of the policy set out at paragraph 176. Planning authorities should determine whether proposed developments would constitute appropriate uses of the land, leaving the regulation of permitted installations to SEPA.

189. SEPA's Thermal Treatment of Waste Guidelines 2013 and addendum sets out policy on thermal treatment plants.

190. All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations.

191. Planning authorities should consider the need for buffer zones between dwellings or other **sensitive receptors** and some waste management facilities. As a guide, appropriate buffer distances may be:

- 100m between sensitive receptors and recycling facilities, small-scale thermal treatment or leachate treatment plant;
- 250m between sensitive receptors and operations such as outdoor composting, anaerobic digestion, mixed waste processing, thermal treatment or landfill gas plant; and
- greater between sensitive receptors and landfill sites.

192. Planning authorities should:

- consider requiring the preparation of site waste management plans for construction sites;
- secure decommissioning or restoration (including landfill) to agreed standards as a condition of planning permission for waste management facilities; and
- ensure that landfill consents are subject to an appropriate financial bond unless the operator can demonstrate that their programme of restoration, including the necessary financing, phasing and aftercare of sites, is sufficient.

A Natural, Resilient Place

Valuing the Natural Environment

NPF Context

193. The natural environment forms the foundation of the spatial strategy set out in NPF3. The environment is a valued national asset offering a wide range of opportunities for enjoyment, recreation and sustainable economic activity. Planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.

Policy Principles

194. The planning system should:

- facilitate positive change while maintaining and enhancing distinctive landscape character;
- conserve and enhance protected sites and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities;
- promote protection and improvement of the water environment, including rivers, lochs, estuaries, wetlands, coastal waters and groundwater, in a sustainable and co-ordinated way;
- seek to protect soils from damage such as erosion or compaction;
- protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;
- seek benefits for **biodiversity** from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats; and
- support opportunities for enjoying and learning about the natural environment.

Key Documents

- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁷⁸
- [The 2020 Challenge for Scotland’s Biodiversity](#)⁷⁹
- [European Landscape Convention](#)⁸⁰
- [Nature Conservation \(Scotland\) Act 2004](#)⁸¹
- [The Conservation \(Natural Habitats etc\) Regulations](#)⁸²
- [The Wildlife and Countryside Act 1981](#)⁸³

⁷⁸ www.scotland.gov.uk/Topics/Environment/Countryside/Landusestrategy

⁷⁹ www.scotland.gov.uk/Publications/2013/06/5538

⁸⁰ www.coe.int/t/dg4/cultureheritage/heritage/landscape/default_en.asp

⁸¹ www.legislation.gov.uk/asp/2004/6/contents

⁸² www.legislation.gov.uk/uksi/1994/2716/contents/made

⁸³ www.legislation.gov.uk/ukpga/1981/69

- [EU Birds Directive – 2009/147/EC](#)⁸⁴
- [EU Habitats Directive – 92/43/EEC](#)⁸⁵
- [Ramsar Convention on Wetlands of International Importance](#)⁸⁶
- [National Parks \(Scotland\) Act 2000](#)⁸⁷
- [River Basin Management Plans](#)⁸⁸

Delivery

195. Planning authorities, and all public bodies, have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of **biodiversity**. This duty must be reflected in development plans and development management decisions. They also have a duty under the Water Environment and Water Services (Scotland) Act 2003 to protect and improve Scotland's water environment. The Scottish Government expects public bodies to apply the Principles for Sustainable Land Use, as set out in the Land Use Strategy, when taking significant decisions affecting the use of land.

Development Plans

196. International, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans. Reasons for local designation should be clearly explained and their function and continuing relevance considered when preparing plans. Buffer zones should not be established around areas designated for their natural heritage importance. Plans should set out the factors which will be taken into account in development management. The level of protection given to local designations should not be as high as that given to international or national designations.

197. Planning authorities are encouraged to limit non-statutory local designations to areas designated for their local landscape or nature conservation value:

- the purpose of areas of local landscape value should be to:
 - safeguard and enhance the character and quality of a landscape which is important or particularly valued locally or regionally; or
 - promote understanding and awareness of the distinctive character and special qualities of local landscapes; or
 - safeguard and promote important local settings for outdoor recreation and tourism.
- local nature conservation sites should seek to accommodate the following factors:
 - species diversity, species or habitat rarity, naturalness and extent of habitat;
 - contribution to national and local **biodiversity** objectives;
 - potential contribution to the protection or enhancement of connectivity between habitats or the development of **green networks**; and
 - potential to facilitate enjoyment and understanding of natural heritage.

84 ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

85 ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

86 www.ramsar.org/cda/en/ramsar-home/main/ramsar/1_4000_0

87 www.legislation.gov.uk/asp/2000/10/contents

88 www.sepa.org.uk/water/river_basin_planning.aspx

198. Local nature conservation sites designated for their geodiversity should be selected for their value for scientific study and education, their historical significance and cultural and aesthetic value, and for their potential to promote public awareness and enjoyment.

199. Plans should address the potential effects of development on the natural environment, including proposals for [major-accident hazard sites](#) and the cumulative effects of incremental changes. They should consider the natural and cultural components together, and promote opportunities for the enhancement of degraded landscapes, particularly where this helps to restore or strengthen the natural processes which underpin the well-being and resilience of communities.

200. Wild land character is displayed in some of Scotland's remoter upland, mountain and coastal areas, which are very sensitive to any form of intrusive human activity and have little or no capacity to accept new development. Plans should identify and safeguard the character of areas of wild land as identified on the 2014 SNH map of wild land areas.

201. Plans should identify woodlands of high nature conservation value and include policies for protecting them and enhancing their condition and resilience to climate change. Forestry Commission Scotland's [Native Woodland Survey of Scotland](#)⁸⁹ provides information and guidance. Planning authorities should consider preparing forestry and woodland strategies as supplementary guidance to inform the development of forestry and woodland in their area, including the expansion of woodland of a range of types to provide multiple benefits. Scottish Government advice on planning for forestry and woodlands is set out in [The Right Tree in the Right Place](#)⁹⁰.

Development Management

202. The siting and design of development should take account of local landscape character. Development management decisions should take account of potential effects on landscapes and the natural and water environment, including cumulative effects. Developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.

203. Planning permission should be refused where the nature or scale of proposed development would have an unacceptable impact on the natural environment. Direct or indirect effects on statutorily protected sites will be an important consideration, but designation does not impose an automatic prohibition on development.

204. Planning authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence indicating that significant irreversible damage could occur. The precautionary principle should not be used to impede development without justification. If there is any likelihood that significant irreversible damage could occur, modifications to the proposal to eliminate the risk of such damage should be considered. If there is uncertainty, the potential for research, surveys or assessments to remove or reduce uncertainty should be considered.

205. Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments should aim to minimise this release.

89 www.forestry.gov.uk/nwss

90 [www.forestry.gov.uk/pdf/fcfc129.pdf/\\$file/fcfc129.pdf](http://www.forestry.gov.uk/pdf/fcfc129.pdf/$file/fcfc129.pdf)

206. Where non-native species are present on site, or where planting is planned as part of a development, developers should take into account the provisions of the Wildlife and Countryside Act 1981 relating to non-native species.

International Designations

Natura 2000 Sites

207. Sites designated as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) make up the Natura 2000 network of protected areas. Any development plan or proposal likely to have a significant effect on these sites which is not directly connected with or necessary to their conservation management must be subject to an “appropriate assessment” of the implications for the conservation objectives. Such plans or proposals may only be approved if the competent authority has ascertained by means of an “appropriate assessment” that there will be no adverse effect on the integrity of the site.

208. A derogation is available for authorities to approve plans or projects which could adversely affect the integrity of a Natura site if:

- there are no alternative solutions;
- 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 Natura network is protected.

209. If an authority wishes to use this derogation, Scottish Ministers must be notified. For sites hosting a priority habitat or species (as defined in Article 1 of the Habitats Directive), prior consultation with the European Commission via Scottish Ministers is required unless either the proposal is necessary for public health or safety reasons or it will have beneficial consequences of primary importance to the environment.

210. Authorities should afford the same level of protection to proposed SACs and SPAs (i.e. sites which have been approved by Scottish Ministers for formal consultation but which have not yet been designated) as they do to sites which have been designated.

Ramsar Sites

211. All [Ramsar sites](#) are also Natura 2000 sites and/or Sites of Special Scientific Interest and are protected under the relevant statutory regimes.

National Designations

212. Development that affects a National Park, [National Scenic Area](#), [Site of Special Scientific Interest](#) or a [National Nature Reserve](#) should only be permitted where:

- the objectives of designation and the overall integrity of the area will not be compromised; or
- 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.

213. Planning decisions for development within National Parks must be consistent with paragraphs 84-85.

Protected Species

214. The presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. Certain activities – for example those involving European Protected Species as specified in the Conservation (Natural Habitats, &c.) Regulations 1994 and wild birds, protected animals and plants under the Wildlife and Countryside Act 1981 – may only be undertaken under licence. Following the introduction of the Wildlife and Natural Environment (Scotland) Act 2011, Scottish Natural Heritage is now responsible for the majority of wildlife licensing in Scotland.

Areas of Wild Land

215. In areas of wild land (see paragraph 200), development may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

Woodland

216. Ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, especially veteran trees of high nature conservation and landscape value, should be protected from adverse impacts resulting from development. [Tree Preservation Orders](#)⁹¹ can be used to protect individual trees and groups of trees considered important for amenity or their cultural or historic interest.

217. Where appropriate, planning authorities should seek opportunities to create new woodland and plant native trees in association with development. If a development would result in the severing or impairment of connectivity between important woodland habitats, workable mitigation measures should be identified and implemented, preferably linked to a wider green network (see also the section on green infrastructure).

218. The Scottish Government's [Control of Woodland Removal Policy](#)⁹² includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting. The criteria for determining the acceptability of woodland removal and further information on the implementation of the policy is explained in the Control of Woodland Removal Policy, and this should be taken into account when preparing development plans and determining planning applications.

91 www.scotland.gov.uk/Publications/2011/01/28152314/0

92 www.forestry.gov.uk/pdf/fcfc125.pdf/%24FILE/fcfc125.pdf

Maximising the Benefits of Green Infrastructure

NPF Context

219. NPF3 aims to significantly enhance green infrastructure networks, particularly in and around our cities and towns. [Green infrastructure](#) and improved access to [open space](#) can help to build stronger, healthier communities. It is an essential part of our long-term environmental performance and climate resilience. Improving the quality of our places and spaces through integrated green infrastructure networks can also encourage investment and development.

Policy Principles

220. Planning should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.

221. The planning system should:

- consider green infrastructure as an integral element of places from the outset of the planning process;
- assess current and future needs and opportunities for green infrastructure to provide multiple benefits;
- facilitate the provision and long-term, integrated management of green infrastructure and prevent fragmentation; and
- provide for easy and safe access to and within green infrastructure, including core paths and other important routes, within the context of statutory access rights under the Land Reform (Scotland) Act 2003.

Key Documents

- [Green Infrastructure: Design and Placemaking](#)⁹³
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁹⁴
- [Planning Advice Note 65: Planning and Open Space](#)⁹⁵
- [Reaching Higher – Scotland’s National Strategy for Sport](#)⁹⁶
- [The Play Strategy for Scotland and Action Plan](#)⁹⁷
- [Let’s Get Scotland Walking: The National Walking Strategy](#)⁹⁸

Delivery

Development Planning

222. Development plans should be based on a holistic, integrated and cross-sectoral approach to green infrastructure. They should be informed by relevant, up-to-date audits, strategies and action plans covering green infrastructure’s multiple functions, for example open space, playing fields, pitches, outdoor access, core paths, active travel strategies, the historic environment, [biodiversity](#), forestry and woodland, river basins, flood management, coastal zones and the marine environment.

93 www.scotland.gov.uk/Publications/2011/11/04140525/0

94 www.scotland.gov.uk/Publications/2011/03/17091927/0

95 www.scotland.gov.uk/Publications/2008/05/30100623/0

96 www.scotland.gov.uk/Topics/ArtsCultureSport/Sport/NationalStrategies/Sport-21

97 www.scotland.gov.uk/Publications/2013/10/9424

98 www.scotland.gov.uk/Publications/2014/06/5743

Plans should promote consistency with these and reflect their priorities and spatial implications.

223. Strategic development plans should safeguard existing strategic or regionally important assets and identify strategic priorities for green infrastructure addressing cross-boundary needs and opportunities.

224. Local development plans should identify and protect open space identified in the open space audit and strategy as valued and functional or capable of being brought into use to meet local needs.

225. Local development plans should seek to enhance existing and promote the creation of new green infrastructure, which may include retrofitting. They should do this through a design-led approach, applying standards which facilitate appropriate provision, addressing deficits or surpluses within the local context. The standards delivered through a design-led approach should result in a proposal that is appropriate to place, including connections to other green infrastructure assets. Supplementary guidance or master plans may be used to achieve this.

226. Local development plans should identify sites for new indoor or outdoor sports, recreation or play facilities where a need has been identified in a local facility strategy, playing field strategy or similar document. They should provide for good quality, accessible facilities in sufficient quantity to satisfy current and likely future community demand. [Outdoor sports facilities](#) should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or
- the relevant strategy (see paragraph 224) and consultation with **sportscotland** show that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

227. Local development plans should safeguard existing and potential allotment sites to ensure that local authorities meet their statutory duty to provide allotments where there is proven demand. Plans should also encourage opportunities for a range of community growing spaces.

228. Local development plans should safeguard access rights and core paths, and encourage new and enhanced opportunities for access linked to wider networks.

229. Local development plans should encourage the temporary use of unused or underused land as green infrastructure while making clear that this will not prevent any future development potential which has been identified from being realised. This type of greening may provide the advance structure planting to create the landscape framework for any future development.

Development Management

230. Development of land allocated as green infrastructure for an unrelated purpose should have a strong justification. This should be based on evidence from relevant audits and strategies that the proposal will not result in a deficit of that type of provision within the local area and that alternative sites have been considered. Poor maintenance and neglect should not be used as a justification for development for other purposes.

231. Development proposals that would result in or exacerbate a deficit of green infrastructure should include provision to remedy that deficit with accessible infrastructure of an appropriate type, quantity and quality.

232. In the design of green infrastructure, consideration should be given to the qualities of successful places. Green infrastructure should be treated as an integral element in how the proposal responds to local circumstances, including being well-integrated into the overall design layout and multi-functional. Arrangements for the long-term management and maintenance of green infrastructure, and associated water features, including common facilities, should be incorporated into any planning permission.

233. Proposals that affect regional and country parks must have regard to their statutory purpose of providing recreational access to the countryside close to centres of population, and should take account of their wider objectives as set out in their management plans and strategies.

Promoting Responsible Extraction of Resources

NPF Context

234. Minerals make an important contribution to the economy, providing materials for construction, energy supply and other uses, and supporting employment. NPF3 notes that minerals will be required as construction materials to support our ambition for diversification of the energy mix. Planning should safeguard mineral resources and facilitate their responsible use. Our spatial strategy underlines the need to address restoration of past minerals extraction sites in and around the Central Belt.

Policy Principles

235. The planning system should:

- recognise the national benefit of indigenous coal, oil and gas production in maintaining a diverse energy mix and improving energy security;
- safeguard workable resources and ensure that an adequate and steady supply is available to meet the needs of the construction, energy and other sectors;
- minimise the impacts of extraction on local communities, the environment and the built and natural heritage; and
- secure the sustainable restoration of sites to beneficial afteruse after working has ceased.

Key Documents

- [Electricity Generation Policy Statement](#)⁹⁹
- [Management of Extractive Waste \(Scotland\) Regulations 2010](#)¹⁰⁰
- [PAN 50: Controlling the Environmental Effects of Surface Mineral Workings](#)¹⁰¹
- [Planning Advice Note 64: Reclamation of Surface Mineral Workings](#)¹⁰²
- [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosive Storage Areas](#)¹⁰³
- [Circular 34/1996: Environment Act 1995 Section 96](#)¹⁰⁴

Delivery

Development Planning

236. Strategic development plans should ensure that adequate supplies of construction aggregates can be made available from within the plan area to meet the likely development needs of the city region over the plan period.

237. Local development plans should safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development. Plans should set out the factors that specific proposals will need to address, including:

- disturbance, disruption and noise, blasting and vibration, and potential pollution of land, air and water;
- impacts on local communities, individual houses, [sensitive receptors](#) and economic sectors important to the local economy;
- benefits to the local and national economy;
- [cumulative impact](#) with other mineral and landfill sites in the area;
- effects on natural heritage, habitats and the historic environment;
- landscape and visual impacts, including cumulative effects;
- transport impacts; and
- restoration and aftercare (including any benefits in terms of the remediation of existing areas of dereliction or instability).

238. Plans should support the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas through the identification of areas of search. Such areas can be promoted by developers or landowners as part of the plan preparation process or by planning authorities where they wish to guide development to particular areas. As an alternative, a criteria-based approach may be taken, particularly where a sufficient landbank already exists or substantial unconstrained deposits are available.

99 www.scotland.gov.uk/Publications/2013/06/5757

100 www.legislation.gov.uk/ssi/2010/60/contents/made

101 www.scotland.gov.uk/Publications/1996/10/17729/23424

102 www.scotland.gov.uk/Publications/2003/01/16122/16256

103 www.scotland.gov.uk/Publications/2003/01/16204/17030

104 www.scotland.gov.uk/Publications/1996/11/circular-34-1996-root/circular-34-1996-guidance

239. Local development plans should identify areas of search where surface coal extraction is most likely to be acceptable during the plan period and set out the preferred programme for the development of other safeguarded areas beyond the plan period, with particular emphasis on protecting local communities from significant cumulative impacts. Where possible, plans should secure extraction prior to permanent development above workable coal reserves.

240. For areas covered by a Petroleum Exploration and Development Licence (PEDL), local development plans should also:

- identify licence areas;
- encourage operators to be as clear as possible about the minimum and maximum extent of operations (e.g. number of wells and duration) at the exploration phase whilst recognising that the factors to be addressed by applications should be relevant and proportionate to the appropriate exploration, appraisal and production phases of operations;
- confirm that applicants should engage with local communities, residents and other stakeholders at each stage of operations, beginning in advance of any application for planning permission and in advance of any operations;
- ensure that when developing proposals, applicants should consider, where possible, transport of the end product by pipeline, rail or water rather than road; and
- provide a consistent approach to extraction where licences extend across local authority boundaries.

241. Policies should protect areas of peatland and only permit commercial extraction in areas suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible.

Development Management

242. Operators should provide sufficient information to enable a full assessment to be made of the likely effects of development together with appropriate control, mitigation and monitoring measures. This should include the provision of an adequate buffer zone between sites and settlements, taking account of the specific circumstances of individual proposals, including size, duration, location, method of working, topography, the characteristics of the various environmental effects likely to arise and the mitigation that can be provided.

243. Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries; they are time-limited; tied to a particular project and appropriate reclamation measures are in place.

244. Consent should only be granted for surface coal extraction proposals which are either environmentally acceptable (or can be made so by planning conditions) or provide local or community benefits which clearly outweigh the likely impacts of extraction. Site boundaries within 500 metres of the edge of settlements will only be environmentally acceptable where local circumstances, such as the removal of dereliction, small-scale prior extraction or the stabilisation of mining legacy, justify a lesser distance. Non-engineering works and mitigation measures within 500 metres may be acceptable.

245. To assist planning authorities with their consideration of impacts on local communities, neighbouring uses and the environment, applicants should undertake a risk assessment for all proposals for shale gas and coal bed methane extraction. The assessment can, where appropriate, be undertaken as part of any environmental impact assessment and should also be developed in consultation with statutory consultees and local communities so that it informs the design of the proposal. The assessment should clearly identify those onsite activities (i.e. emission of pollutants, the creation and disposal of waste) that pose a potential risk using a source–pathway–receptor model and explain how measures, including those under environmental and other legislation, will be used to monitor, manage and mitigate any identified risks to health, amenity and the environment. The evidence from, and outcome of, the assessment should lead to buffer zones being proposed in the application which will protect all **sensitive receptors** from unacceptable risks. When considering applications, planning authorities and statutory consultees must assess the distances proposed by the applicant. Where proposed distances are considered inadequate the Scottish Government expects planning permission to be refused.

246. Conditions should be drafted in a way which ensures that hydraulic fracturing does not take place where permission for such operations is not sought and that any subsequent application to do so is subject to appropriate consultation. If such operations are subsequently proposed, they should, as a matter of planning policy, be regarded as a substantial change in the description of the development for which planning permission is sought or a material variation to the existing planning permission. Where PEDL and Underground Coal licences are granted for the same or overlapping areas, consideration should be given to the most efficient sequencing of extraction.

247. The Scottish Government is currently exploring a range of options relating to the effective regulation of surface coal mining. This is likely to result in further guidance on effective restoration measures in due course. In the meantime, planning authorities should, through planning conditions and legal agreements, continue to ensure that a high standard of restoration and aftercare is managed effectively and that such work is undertaken at the earliest opportunity. A range of financial guarantee options is currently available and planning authorities should consider the most effective solution on a site-by-site basis. All solutions should provide assurance and clarity over the amount and period of the guarantee and in particular, where it is a bond, the risks covered (including operator failure) and the triggers for calling in a bond, including payment terms. In the aggregates sector, an operator may be able to demonstrate adequate provision under an industry-funded guarantee scheme.

248. Planning authorities should ensure that rigorous procedures are in place to monitor consents, including restoration arrangements, at appropriate intervals, and ensure that appropriate action is taken when necessary. The review of mineral permissions every 15 years should be used to apply up-to-date operating and environmental standards although requests from operators to postpone reviews should be considered favourably if existing conditions are already achieving acceptable standards. Conditions should not impose undue restrictions on consents at quarries for building or roofing stone to reflect the likely intermittent or low rate of working at such sites.

Supporting Aquaculture

NPF Context

249. Aquaculture makes a significant contribution to the Scottish economy, particularly for coastal and island communities. Planning can help facilitate sustainable aquaculture whilst protecting and maintaining the ecosystem upon which it depends. Planning can play a role in supporting the sectoral growth targets to grow marine finfish (including farmed Atlantic salmon) production sustainably to 210,000 tonnes; and shellfish, particularly mussels, sustainably to 13,000 tonnes with due regard to the marine environment by 2020.

Policy Principles

250. The planning system should:

- play a supporting role in the sustainable growth of the finfish and shellfish sectors to ensure that the aquaculture industry is diverse, competitive and economically viable;
- guide development to coastal locations that best suit industry needs with due regard to the marine environment;
- maintain a presumption against further marine finfish farm developments on the north and east coasts to safeguard migratory fish species.

Key Documents

- National Marine Plan

Delivery

Development Planning

251. Local development plans should make positive provision for aquaculture developments. Plans, or supplementary guidance, should take account of Marine Scotland's locational policies when identifying areas potentially suitable for new development and sensitive areas which are unlikely to be appropriate for such development. They should also set out the issues that will be considered when assessing specific proposals, which could include:

- impacts on, and benefits for, local communities;
- economic benefits of the sustainable development of the aquaculture industry;
- landscape, seascape and visual impact;
- biological carrying capacity;
- effects on coastal and marine species (including wild salmonids) and habitats;
- impacts on the historic environment and the sea or loch bed;
- interaction with other users of the marine environment (including commercial fisheries, Ministry of Defence, navigational routes, ports and harbours, anchorages, tourism, recreational and leisure activities); and
- cumulative effects on all of the above factors.

Development Management

252. Applications should be supported, where necessary, by sufficient information to demonstrate:

- operational arrangements (including noise, light, access, waste and odour) are satisfactory and sufficient mitigation plans are in place; and
- the siting and design of cages, lines and associated facilities are appropriate for the location. This should be done through the provision of information on the extent of the site; the type, number and physical scale of structures; the distribution of the structures across the planning area; on-shore facilities; and ancillary equipment.

253. Any land-based facilities required for the proposal should, where possible, be considered at the same time. The planning system should not duplicate other control regimes such as controlled activities regulation licences from SEPA or fish health, sea lice and containment regulation by Marine Scotland.

Managing Flood Risk and Drainage

NPF Context

254. NPF3 supports a catchment-scale approach to sustainable flood risk management. The spatial strategy aims to build the resilience of our cities and towns, encourage sustainable land management in our rural areas, and to address the long-term vulnerability of parts of our coasts and islands. Flooding can impact on people and businesses. Climate change will increase the risk of flooding in some parts of the country. Planning can play an important part in reducing the vulnerability of existing and future development to flooding.

Policy Principles

255. The planning system should promote:

- a precautionary approach to **flood risk** from all sources, including coastal, water course (fluvial), surface water (**pluvial**), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;
- **flood** avoidance: by safeguarding flood storage and conveying capacity, and locating development away from **functional flood plains** and medium to high risk areas;
- flood reduction: assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and
- avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.

256. To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

257. Alterations and small-scale extensions to existing buildings are outwith the scope of this policy, provided that they would not have a significant effect on the storage capacity of the functional floodplain or local flooding problems.

Key Documents

- [Flood Risk Management \(Scotland\) Act 2009](#)¹⁰⁵
- Updated Planning Advice Note on Flooding
- [Delivering Sustainable Flood Risk Management](#)¹⁰⁶ (Scottish Government, 2011).
- [Surface Water Management Planning Guidance](#)¹⁰⁷ (Scottish Government, 2013).

Delivery

258. Planning authorities should have regard to the probability of flooding from all sources and take flood risk into account when preparing development plans and determining planning applications. The calculated probability of flooding should be regarded as a best estimate and not a precise forecast. Authorities should avoid giving any indication that a grant of planning permission implies the absence of flood risk.

259. Developers should take into account flood risk and the ability of future occupiers to insure development before committing themselves to a site or project, as applicants and occupiers have ultimate responsibility for safeguarding their property.

Development Planning

260. Plans should use [strategic flood risk assessment](#) (SFRA) to inform choices about the location of development and policies for flood risk management. They should have regard to the flood maps prepared by Scottish Environment Protection Agency (SEPA), and take account of finalised and approved Flood Risk Management Strategies and Plans and River Basin Management Plans.

261. Strategic and local development plans should address any significant cross boundary flooding issues. This may include identifying major areas of the [flood plain](#) and storage capacity which should be protected from inappropriate development, major flood protection scheme requirements or proposals, and relevant drainage capacity issues.

262. Local development plans should protect land with the potential to contribute to managing flood risk, for instance through natural flood management, managed coastal realignment, [washland](#) or green infrastructure creation, or as part of a scheme to manage flood risk.

263. Local development plans should use the following flood risk framework to guide development. This sets out three categories of coastal and watercourse flood risk, together with guidance on surface water flooding, and the appropriate planning approach for each (the annual probabilities referred to in the framework relate to the land at the time a plan is being prepared or a planning application is made):

- **Little or No Risk** – annual probability of coastal or [watercourse](#) flooding is less than 0.1% (1:1000 years)
 - No constraints due to coastal or watercourse flooding.

¹⁰⁵ www.legislation.gov.uk/asp/2009/6/contents

¹⁰⁶ www.scotland.gov.uk/Publications/2011/06/15150211/0

¹⁰⁷ <http://www.scotland.gov.uk/Publications/2013/02/7909/0>

- **Low to Medium Risk** – annual probability of coastal or watercourse flooding is between 0.1% and 0.5% (1:1000 to 1:200 years)
 - Suitable for most development. A flood risk assessment may be required at the upper end of the probability range (i.e. close to 0.5%), and for **essential infrastructure** and the **most vulnerable uses**. Water resistant materials and construction may be required.
 - Generally not suitable for **civil infrastructure**. Where civil infrastructure must be located in these areas or is being substantially extended, it should be designed to be capable of remaining operational and accessible during extreme flood events.
- **Medium to High Risk** – annual probability of coastal or watercourse flooding is greater than 0.5% (1:200 years)
 - May be suitable for:
 - residential, institutional, commercial and industrial development within built-up areas provided flood protection measures to the appropriate standard already exist and are maintained, are under construction, or are a planned measure in a current flood risk management plan;
 - essential infrastructure within built-up areas, designed and constructed to remain operational during floods and not impede water flow;
 - some recreational, sport, amenity and nature conservation uses, provided appropriate evacuation procedures are in place; and
 - job-related accommodation, e.g. for caretakers or operational staff.
 - Generally not suitable for:
 - civil infrastructure and the most vulnerable uses;
 - additional development in undeveloped and sparsely developed areas, unless a location is essential for operational reasons, e.g. for navigation and water-based recreation, agriculture, transport or utilities infrastructure (which should be designed and constructed to be operational during floods and not impede water flow), and an alternative, lower risk location is not available; and
 - new caravan and camping sites.
 - Where built development is permitted, measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome.
 - Water-resistant materials and construction should be used where appropriate. Elevated buildings on structures such as stilts are unlikely to be acceptable.

Surface Water Flooding

- Infrastructure and buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1:200 years).
- Surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site, taking account of rain falling on the site and run-off from adjacent areas.

Development Management

264. It is not possible to plan for development solely according to the calculated probability of flooding. In applying the risk framework to proposed development, the following should therefore be taken into account:

- the characteristics of the site;
- the design and use of the proposed development;
- the size of the area likely to flood;
- depth of flood water, likely flow rate and path, and rate of rise and duration;
- the vulnerability and risk of wave action for coastal sites;
- committed and existing flood protection methods: extent, standard and maintenance regime;
- the effects of climate change, including an [allowance for freeboard](#);
- surface water run-off from adjoining land;
- culverted watercourses, drains and field drainage;
- cumulative effects, especially the loss of storage capacity;
- cross-boundary effects and the need for consultation with adjacent authorities;
- effects of flood on access including by emergency services; and
- effects of flood on proposed open spaces including gardens.

265. Land raising should only be considered in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area. Compensatory storage may be required.

266. The flood risk framework set out above should be applied to development management decisions. Flood Risk Assessments (FRA) should be required for development in the medium to high category of flood risk, and may be required in the low to medium category in the circumstances described in the framework above, or where other factors indicate heightened risk. FRA will generally be required for applications within areas identified at high or medium likelihood of flooding/flood risk in SEPA's flood maps.

267. Drainage Assessments, proportionate to the development proposal and covering both surface and foul water, will be required for areas where drainage is already constrained or otherwise problematic, or if there would be off-site effects.

268. Proposed arrangements for SuDS should be adequate for the development and appropriate long-term maintenance arrangements should be put in place.

A Connected Place

Promoting Sustainable Transport and Active Travel

NPF Context

269. The spatial strategy set out in NPF3 is complemented by an ongoing programme of investment in transport infrastructure. The economy relies on efficient transport connections, within Scotland and to international markets. Planning can play an important role in improving connectivity and promoting more sustainable patterns of transport and travel as part of the transition to a low carbon economy.

Policy Principles

270. The planning system should support patterns of development which:

- optimise the use of existing infrastructure;
- reduce the need to travel;
- provide safe and convenient opportunities for walking and cycling for both active travel and recreation, and facilitate travel by public transport;
- enable the integration of transport modes; and
- facilitate freight movement by rail or water.

271. Development plans and development management decisions should take account of the implications of development proposals on traffic, patterns of travel and road safety.

Key Documents

- [National Transport Strategy](#)¹⁰⁸
- [Climate Change \(Scotland\) Act 2009](#)¹⁰⁹
- [Low Carbon Scotland: Meeting the Emissions Reduction Targets 2013-2027](#)¹¹⁰
- [Infrastructure Investment Plan](#)¹¹¹
- [Strategic Transport Projects Review](#)¹¹²
- [Transport Assessment Guidance](#)¹¹³
- [Development Planning and Management Transport Appraisal Guidance \(DPMTAG\)](#)¹¹⁴
- [PAN 66: Best Practice in Handling Applications Affecting Trunk Roads](#)¹¹⁵

108 www.scotland.gov.uk/Publications/2006/12/04104414/0

109 www.legislation.gov.uk/asp/2009/12/contents

110 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

111 www.scotland.gov.uk/Publications/2011/12/05141922/0

112 www.transportscotland.gov.uk/strategic-transport-projects-review

113 www.transportscotland.gov.uk/system/files/documents/tsc-basic-pages/Planning_Reform_-_DPMTAG_-_Development_Management_DPMTAG_Ref_17_-_Transport_Assessment_Guidance_FINAL_-_June_2012.pdf

114 www.transportscotland.gov.uk/development-planning-and-management-transport-appraisal-guidance-dpmtag

115 www.scotland.gov.uk/Resource/Doc/47021/0026434.pdf

- [Design Manual for Roads and Bridges](#)¹¹⁶
- [Designing Streets](#)¹¹⁷
- [Roads for All](#)¹¹⁸
- [Cycling Action Plan in Scotland](#)¹¹⁹ (CAPS)
- [Let's Get Scotland Walking: The National Walking Strategy](#)¹²⁰
- [A More Active Scotland – Building a Legacy from the Commonwealth Games](#)¹²¹
- [Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles](#)¹²²
- [Tourism Development Framework for Scotland](#)¹²³

Delivery

Development Planning

272. Development plans should take account of the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.

273. The spatial strategies set out in plans should support development in locations that allow walkable access to local amenities and are also accessible by cycling and public transport. Plans should identify active travel networks and promote opportunities for travel by more sustainable modes in the following order of priority: walking, cycling, public transport, cars. The aim is to promote development which maximises the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through use of private cars. Plans should facilitate integration between transport modes.

274. In preparing development plans, planning authorities are expected to appraise the impact of the spatial strategy and its reasonable alternatives on the transport network, in line with Transport Scotland's DPMTAG guidance. This should include consideration of previously allocated sites, transport opportunities and constraints, current capacity and committed improvements to the transport network. Planning authorities should ensure that a transport appraisal is undertaken at a scale and level of detail proportionate to the nature of the issues and proposals being considered, including funding requirements. Appraisals should be carried out in time to inform the spatial strategy and the strategic environmental assessment. Where there are potential issues for the [strategic transport network](#), the appraisal should be discussed with Transport Scotland at the earliest opportunity.

116 www.dft.gov.uk/ha/standards/dmr/index.htm

117 www.scotland.gov.uk/Publications/2010/03/22120652/0

118 <http://www.transportscotland.gov.uk/guides/j256264-00.htm>

116 www.transportscotland.gov.uk/strategy-and-research/publications-and-consultations/cycling-action-plan-2013

120 www.scotland.gov.uk/Publications/2014/06/5743

121 www.scotland.gov.uk/Publications/2014/02/8239/0

122 www.transportscotland.gov.uk/report/j272736-00.htm

123 www.visitscotland.org/pdf/Tourism%20Development%20Framework%20-%20FINAL.pdf

275. Development plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. The deliverability of this infrastructure, and by whom it will be delivered, should be key considerations in identifying the preferred and alternative land use strategies. Plans and associated documents, such as supplementary guidance and the action programme, should indicate how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made. These should be prepared in consultation with all of the parties responsible for approving and delivering the infrastructure. Development plans should support the provision of infrastructure necessary to support positive changes in transport technologies, such as charging points for electric vehicles.

276. Where public transport services required to serve a new development cannot be provided commercially, a contribution from the developer towards an agreed level of service may be appropriate. The development plan action programme should set out how this will be delivered, and the planning authority should coordinate discussions with the public transport provider, developer, Transport Scotland where appropriate, and relevant regional transport partnerships at an early stage in the process. In rural areas the plan should be realistic about the likely viability of public transport services and innovative solutions such as demand-responsive public transport and small-scale park and ride facilities at nodes on rural bus corridors should be considered.

277. Disused railway lines with a reasonable prospect of being reused as rail, tram, bus rapid transit or active travel routes should be safeguarded in development plans. The strategic case for a new station should emerge from a complete and robust multimodal transport appraisal in line with Scottish Transport Appraisal Guidance. Any appraisal should include consideration of making best use of current rail services; and should demonstrate that the needs of local communities, workers or visitors are sufficient to generate a high level of demand, and that there would be no adverse impact on the operation of the rail service franchise. Funding partners must be identified. Agreement should be reached with Transport Scotland and Network Rail before rail proposals are included in a development plan or planning application and it should be noted that further technical assessment and design work will be required before any proposed new station can be confirmed as viable.

278. While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered where the planning authority considers that significant economic growth or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with DMRB and where there would be no adverse impact on road safety or operational performance.

279. Significant travel-generating uses should be sited at locations which are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. New development areas should be served by public transport providing access to a range of destinations. Development plans should indicate when a travel plan will be required to accompany a proposal for a development which will generate significant travel.

280. Along with sound choices on the location of new development, appropriate street layout and design are key to achieving the policy principles at paragraph 270. The design of all new development should follow the placemaking approach set out in this SPP and the principles of Designing Streets, to ensure the creation of places which are distinctive, welcoming, adaptable, resource efficient, safe and pleasant and easy to move around and beyond.

281. National maximum parking standards for certain types and scales of development have been set to promote consistency (see [Annex B: Parking Policies and Standards](#)). Where an area is well served by sustainable transport modes, planning authorities may set more restrictive standards, and where public transport provision is limited, planning authorities may set less restrictive standards. Local authorities should also take account of relevant town centre strategies when considering appropriate parking provision (see paragraphs 64-65 and [Annex A: Town Centre Health Checks and Strategies](#)).

282. When preparing development plans, planning authorities should consider the need for improved and additional freight transfer facilities. Strategic freight sites should be safeguarded in development plans. Existing roadside facilities and provision for lorry parking should be safeguarded and, where required, development plans should make additional provision for the overnight parking of lorries at appropriate locations on routes with a high volume of lorry traffic. Where appropriate, development plans should also identify suitable locations for new or expanded rail freight interchanges to support increased movement of freight by rail. Facilities allowing the transfer of freight from road to rail or water should also be considered.

283. Planning authorities and port operators should work together to address the planning and transport needs of ports and opportunities for rail access should be safeguarded in development plans. Planning authorities should ensure that there is appropriate road access to ferry terminals for cars and freight, and support the provision of bus and train interchange facilities.

284. Planning authorities, airport operators and other stakeholders should work together to prepare airport masterplans and address other planning and transport issues relating to airports. Relevant issues include public safety zone safeguarding, surface transport access for supplies, air freight, staff and passengers, related on- and off-site development such as transport interchanges, offices, hotels, car parks, warehousing and distribution services, and other development benefiting from good access to the airport.

285. Canals, which are scheduled monuments, should be safeguarded as assets which can contribute to sustainable economic growth through sensitive development and regeneration. Consideration should be given to planning for new uses for canals, where appropriate.

Development Management

286. Where a new development or a change of use is likely to generate a significant increase in the number of trips, a transport assessment should be carried out. This should identify any potential [cumulative effects](#) which need to be addressed.

287. Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where:

- direct links to local facilities via walking and cycling networks are not available or cannot be made available;
- access to local facilities via public transport networks would involve walking more than 400m; or
- the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements.

Guidance is available in [Transport Assessment and Implementation: A Guide](#)¹²⁴

¹²⁴ www.scotland.gov.uk/Publications/2005/08/1792325/23264

288. Buildings and facilities should be accessible by foot and bicycle and have appropriate operational and servicing access for large vehicles. Cycle routes, cycle parking and storage should be safeguarded and enhanced wherever possible.

289. Consideration should be given to how proposed development will contribute to fulfilling the objectives of Switched On Scotland – A Roadmap to Widespread Adoption of Plug-in Vehicles. Electric vehicle charge points should always be considered as part of any new development and provided where appropriate.

290. Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be fully assessed to determine their impact. Where existing infrastructure has the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, further investment in the network is not likely to be required. Where such investment is required, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network will have to be met by the developer.

291. Consideration should be given to appropriate planning restrictions on construction and operation related transport modes when granting planning permission, especially where bulk material movements are expected, for example freight from extraction operations.

Supporting Digital Connectivity

NPF Context

292. NPF3 highlights the importance of our digital infrastructure, across towns and cities, and in particular our more remote rural and island areas. Our economy and social networks depend heavily on high-quality digital infrastructure. To facilitate investment across Scotland, planning has an important role to play in strengthening digital communications capacity and coverage across Scotland.

Policy Principles

293. The planning system should support:

- development which helps deliver the Scottish Government’s commitment to world-class digital connectivity;
- the need for networks to evolve and respond to technology improvements and new services;
- inclusion of digital infrastructure in new homes and business premises; and
- infrastructure provision which is sited and designed to keep environmental impacts to a minimum.

Key Documents

- [Scotland’s Digital Future](#)¹²⁵ and associated [Infrastructure Action Plan](#)¹²⁶
- [Scotland’s Cities: Delivering for Scotland](#)¹²⁷
- [A National Telehealth and Telecare Delivery Plan for Scotland to 2015](#)¹²⁸

¹²⁵ www.scotland.gov.uk/Resource/Doc/981/0114237.pdf

¹²⁶ www.scotland.gov.uk/Publications/2012/01/1487

¹²⁷ www.scotland.gov.uk/Publications/2012/01/05104741/0

¹²⁸ www.scotland.gov.uk/Resource/0041/00411586.pdf

- [Planning Advice Note 62, Radio Telecommunications provides advice on siting and design](#)¹²⁹
- [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas](#)¹³⁰

Delivery

Development Planning

294. Local development plans should reflect the infrastructure roll-out plans of digital communications operators, community groups and others, such as the Scottish Government, the UK Government and local authorities.

295. Local development plans should provide a consistent basis for decision-making by setting out the criteria which will be applied when determining planning applications for communications equipment. They should ensure that the following options are considered when selecting sites and designing base stations:

- mast or site sharing;
- installation on buildings or other existing structures;
- installing the smallest suitable equipment, commensurate with technological requirements;
- concealing or disguising masts, antennas, equipment housing and cable runs using design and camouflage techniques where appropriate; and
- installation of ground-based masts.

296. Local development plans should set out the matters to be addressed in planning applications for specific developments, including:

- an explanation of how the proposed equipment fits into the wider network;
- a description of the siting options (primarily for new sites) and design options which satisfy operational requirements, alternatives considered, and the reasons for the chosen solution;
- details of the design, including height, materials and all components of the proposal;
- details of any proposed landscaping and screen planting, where appropriate;
- an assessment of the cumulative effects of the proposed development in combination with existing equipment in the area;
- a declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation¹³¹; and
- an assessment of visual impact, if relevant.

297. Policies should encourage developers to explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development. This should be done in consultation with service providers so that appropriate, universal and future-proofed infrastructure is installed and utilised.

¹²⁹ www.scotland.gov.uk/Publications/2001/09/pan62/pan62-

¹³⁰ www.scotland.gov.uk/Publications/2003/01/16204/17030

¹³¹ The radiofrequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection, as expressed in EU Council recommendation 1999/519/ EC on the limitation of exposure of the general public to electromagnetic fields.

Development Management

298. Consideration should be given to how proposals for infrastructure to deliver new services or infrastructure to improve existing services will contribute to fulfilling the objectives for digital connectivity set out in the Scottish Government’s World Class 2020 document. For developments that will deliver entirely new connectivity – for example, mobile connectivity in a “not spot” – consideration should be given to the benefits of this connectivity for communities and the local economy.

299. All components of equipment should be considered together and designed and positioned as sensitively as possible, though technical requirements and constraints may limit the possibilities. Developments should not physically obstruct aerodrome operations, technical sites or existing transmitter/receiver facilities. The cumulative visual effects of equipment should be taken into account.

300. Planning authorities should not question the need for the service to be provided nor seek to prevent competition between operators. The planning system should not be used to secure objectives that are more properly achieved under other legislation. Emissions of radiofrequency radiation are controlled and regulated under other legislation and it is therefore not necessary for planning authorities to treat radiofrequency radiation as a material consideration.

Annex A – Town Centre Health Checks and Strategies

Town centre health checks should cover a range of indicators, such as:

Activities

- retailer representation and intentions (multiples and independents);
- employment;
- cultural and social activity;
- community activity;
- leisure and tourism facilities;
- resident population; and
- evening/night-time economy.

Physical environment

- space in use for the range of town centre functions and how it has changed;
- physical structure of the centre, condition and appearance including constraints and opportunities and assets;
- historic environment; and
- public realm and green infrastructure.

Property

- vacancy rates, particularly at street level in prime retail areas;
- vacant sites;
- committed developments;
- commercial yield; and
- prime rental values.

Accessibility

- pedestrian footfall;
- accessibility;
- cycling facilities and ease of movement;
- public transport infrastructure and facilities;
- parking offer; and
- signage and ease of navigation.

Community

- attitudes, perceptions and aspirations.

Town centre strategies should:

- be prepared collaboratively with community planning partners, businesses and the local community;
- recognise the changing roles of town centres and networks, and the effect of trends in consumer activity;
- establish an agreed long-term vision for the town centre;
- seek to maintain and improve accessibility to and within the town centre;
- seek to reduce the centre's environmental footprint, through, for example, the development or extension of sustainable urban drainage or district heating networks;
- identify how green infrastructure can enhance air quality, open space, landscape/settings, reduce urban heat island effects, increase capacity of drainage systems, and attenuate noise;
- indicate the potential for change through redevelopment, renewal, alternative uses and diversification based on an analysis of the role and function of the centre;
- promote opportunities for new development, using master planning and design, while seeking to safeguard and enhance built and natural heritage;
- consider constraints such as fragmented site ownership, unit size and funding availability, and recognise the rapidly changing nature of retail formats;
- identify actions, tools and delivery mechanisms to overcome these constraints, for example improved management, Town Teams, Business Improvement Districts or the use of [compulsory purchase powers](#)¹³²; and
- include monitoring against the baseline provided by the health check to assess the extent to which it has delivered improvements.

More detailed advice on town centre health checks and strategies can be found in the Town Centre Masterplanning Toolkit.

132 www.scotland.gov.uk/Topics/archive/National-Planning-Policy/themes/ComPur

Annex B – Parking Policies and Standards

Parking Restraint Policy – National Maximum Parking Standards for New Development

In order to achieve consistency in the levels of parking provision for specific types and scales of development, the following national standards have been set:

- retail (food) (Use Class 1) 1000m² and above – up to 1 space per 14m²;
- retail (non-food) (Use Class 1) 1000m² and above – up to 1 space per 20m²;
- business (Use Class 4) 2500m² and above – up to 1 space per 30m²;
- cinemas (Use Class 11a) 1000m² and above – up to 1 space per 5 seats;
- conference facilities 1000m² and above – up to 1 space per 5 seats;
- stadia 1500 seats and above – up to 1 space per 15 seats;
- leisure (other than cinemas and stadia) 1000m² and above – up to 1 space per 22m²; and
- higher and further education (non-residential elements) 2500m² and above – up to 1 space per 2 staff plus 1 space per 15 students.

Local standards should support the viability of town centres. Developers of individual sites within town centres may be required to contribute to the overall parking requirement for the centre in lieu of individual parking provision.

Parking for Disabled People – Minimum Provision Standards for New Development

Specific provision should be made for parking for disabled people in addition to general provision. In retail, recreation and leisure developments, the minimum number of car parking spaces for disabled people should be:

- 3 spaces or 6% (whichever is greater) in car parks with up to 200 spaces; or
- 4 spaces plus 4% in car parks with more than 200 spaces.

Employers have a duty under employment law to consider the disabilities of their employees and visitors to their premises. The minimum number of car parking spaces for disabled people at places of employment should be:

- 1 space per disabled employee plus 2 spaces or 5% (whichever is greater) in car parks with up to 200 spaces; or
- 6 spaces plus 2% in car parks with more than 200 spaces.

Glossary

Affordable housing	Housing of a reasonable quality that is affordable to people on modest incomes.
Anchor development (in the context of heat demand)	A large scale development which has a constant high demand for heat.
Article 4 Direction	Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 gives the Scottish Government and planning authorities the power to remove permitted development rights by issuing a direction.
Biodiversity	The variability in living organisms and the ecological complexes of which they are part. This includes diversity within species, between species and of ecosystems (UN Convention on Biological Diversity, 1992).
Brownfield land	Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused building and developed land within the settlement boundary where further intensification of use is considered acceptable.
Civil infrastructure (in the context of flood risk)	Hospitals, fire stations, emergency depots, schools, care homes, ground-based electrical and telecommunications equipment.
Climate change adaptation	The adjustment in economic, social or natural systems in response to actual or expected climatic change, to limit harmful consequences and exploit beneficial opportunities.
Climate change mitigation	Reducing the amount of greenhouse gases in the atmosphere and reducing activities which emit greenhouse gases to help slow down or make less severe the impacts of future climate change.
Community	A body of people. A community can be based on location (for example people who live or work in or use an area) or common interest (for example the business community, sports or heritage groups).
Cumulative impact	Impact in combination with other development. That includes existing developments of the kind proposed, those which have permission, and valid applications which have not been determined. The weight attached to undetermined applications should reflect their position in the application process.
Cumulative effects (in the context of the strategic transport network)	The effect on the operational performance of transport networks of a number of developments in combination, recognising that the effects of a group of sites, or development over an area may need different mitigation when considered together than when considered individually.

Ecosystems services	The benefits people obtain from ecosystems; these include provisioning services such as food, water, timber and fibre; regulating services that affect climate, floods, disease, waste and water quality; cultural services with recreational, aesthetic, and spiritual benefits; and supporting services such as soil formation, photosynthesis and nutrient cycling.
Effective housing land supply	The part of the established housing land supply which is free or expected to be free of development constraints in the period under consideration and will therefore be available for the construction of housing.
Energy Centre	A stand alone building or part of an existing or proposed building where heat or combined heat and electricity generating plant can be installed to service a district network.
Essential infrastructure (in a flood risk area for operational reasons)	Defined in SEPA guidance on vulnerability as ‘essential transport infrastructure and essential utility infrastructure which may have to be located in a flood risk area for operational reasons. This includes electricity generating stations, power stations and grid and primary sub stations, water treatments works and sewage treatment works and wind turbines’.
Flood	The temporary covering by water from any source of land not normally covered by water, but not including the overflow of a sewage system.
Flood plain	The generally flat areas adjacent to a watercourse or the sea where water flows in time of flood or would flow but for the presence of flood prevention measures. The limits of a flood plain are defined by the peak water level of an appropriate return period event. See also ‘Functional flood plain’.
Flood risk	The combination of the probability of a flood and the potential adverse consequences associated with a flood, for human health, the environment, cultural heritage and economic activity.
Freeboard allowance	A height added to the predicted level of a flood to take account of the height of waves or turbulence and uncertainty in estimating the probability of the flooding.
Functional flood plain	The areas of land where water flows in times of flood which should be safeguarded from further development because of their function as flood water storage areas. For planning purposes the functional floodplain will generally have a greater than 0.5% (1:200) probability of flooding in any year. See also ‘Washland’.
Green infrastructure	Includes the ‘green’ and ‘blue’ (water environment) features of the natural and built environments that can provide benefits without being connected. Green features include parks, woodlands, trees, play spaces, allotments, community growing spaces, outdoor sports facilities, churchyards and cemeteries, swales, hedges, verges and gardens. Blue features include rivers, lochs, wetlands, canals, other water courses, ponds, coastal and marine areas including beaches, porous paving and sustainable urban drainage systems.

Green networks	Connected areas of green infrastructure and open space that together form an integrated and multi-functional network.
Hazardous substances	Substances and quantities as currently specified in and requiring consent under the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 as amended (due to be replaced in 2015 as part of the implementation of Directive 2012/18/EU).
Historic environment	Scotland's historic environment is the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand.
Historic Marine Protected Areas	Areas designated in Scottish territorial waters (0-12 miles) under the Marine (Scotland) Act 2010 for the purpose of preserving marine historic assets of national importance.
Housing supply target	The total number of homes that will be delivered.
Hut	A simple building used intermittently as recreational accommodation (ie. not a principal residence); having an internal floor area of no more than 30m ² ; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups.
Major-accident hazard site	Site with or requiring hazardous substances consent.
Most vulnerable uses (in the context of flood risk and drainage)	Basement dwellings, isolated dwellings in sparsely populated areas, dwelling houses behind informal embankments, residential institutions such as residential care homes/prisons, nurseries, children's homes and educational establishments, caravans, mobile homes and park homes intended for permanent residential use, sites used for holiday or short-let caravans and camping, installations requiring hazardous substance consent.
National Nature Reserve (NNR)	An area considered to be of national importance for its nature conservation interests.
National Scenic Area (NSA)	An area which is nationally important for its scenic quality.
Open space	Space within and on the edge of settlements comprising green infrastructure and/or civic areas such as squares, market places and other paved or hard landscaped areas with a civic function. Detailed typologies of open space are included in PAN65.

<p>Outdoor sports facilities</p>	<p>Uses where sportscotland is a statutory consultee under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, which establishes ‘outdoor sports facilities’ as land used as:</p> <p>(a) an outdoor playing field extending to not less than 0.2ha used for any sport played on a pitch;</p> <p>(b) an outdoor athletics track;</p> <p>(c) a golf course;</p> <p>(d) an outdoor tennis court, other than those within a private dwelling, hotel or other tourist accommodation; and</p> <p>(e) an outdoor bowling green.</p>
<p>Outstanding Universal Value (OUV)</p>	<p>The Operational Guidelines for the Implementation of the World Heritage Convention, provided by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) states that OUV means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. The Statement of OUV is the key reference for the future effective protection and management of the World Heritage Site.</p>
<p>PADHI</p>	<p>Planning Advice for Development near Hazardous Installations, issued by the Health and Safety Executive.</p>
<p>Prime agricultural land</p>	<p>Agricultural land identified as being Class 1, 2 or 3.1 in the land capability classification for agriculture developed by Macaulay Land Use Research Institute (now the James Hutton Institute).</p>
<p>Place</p>	<p>The environment in which we live; the people that inhabit these spaces; and the quality of life that comes from the interaction of people and their surroundings. Architecture, public space and landscape are central to this.</p>
<p>Pluvial flooding</p>	<p>Flooding as a result of rainfall runoff flowing or ponding over the ground before it enters a natural (e.g. watercourse) or artificial (e.g. sewer) drainage system or when it cannot enter a drainage system (e.g. because the system is already full to capacity or the drainage inlets have a limited capacity).</p>
<p>Ramsar sites</p>	<p>Wetlands designated under the Ramsar Convention on Wetlands of International Importance.</p>
<p>Scheduled monument</p>	<p>Archaeological sites, buildings or structures of national or international importance. The purpose of scheduling is to secure the long-term legal protection of the monument in the national interest, in situ and as far as possible in its existing state and within an appropriate setting.</p>
<p>Sensitive receptor</p>	<p>Aspect of the environment likely to be significantly affected by a development, which may include for example, population, fauna, flora, soil, water, air, climatic factors, material assets, landscape and the inter-relationship between these factors.</p> <p>In the context of planning for Zero Waste, sensitive receptors may include aerodromes and military air weapon ranges.</p>

Setting	Is more than the immediate surroundings of a site or building, and may be related to the function or use of a place, or how it was intended to fit into the landscape of townscape, the view from it or how it is seen from areas round about, or areas that are important to the protection of the place, site or building.
Site of Special Scientific Interest (SSSI)	An area which is designated for the special interest of its flora, fauna, geology or geomorphological features.
Strategic Flood Risk Assessment	Provides an overview of flood risk in the area proposed for development. An assessment involves the collection, analysis and presentation of all existing available and readily derivable information on flood risk from all sources. SFRA applies a risk-based approach to identifying land for development and can help inform development plan flood risk policy and supplementary guidance.
Strategic Transport Network	Includes the trunk road and rail networks. Its primary purpose is to provide the safe and efficient movement of strategic long-distance traffic between major centres, although in rural areas it also performs important local functions.
Sustainable Development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Brundtland Definition. Our Common Future, The World Commission on Environment and Development, 1987.
Sustainable Economic Growth	Building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life too.
Washland	An alternative term for the functional flood plain which carries the connotation that it floods very frequently.
Watercourse	All means of conveying water except a water main or sewer.
Windfall Sites	Sites which become available for development unexpectedly during the life of the development plan and so are not identified individually in the plan.



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8. NATIONAL PLANNING FRAMEWORK 4 POLICY EXTRACTS

Should the application have been assessed following the adoption of the NPF4 the relevant assessment/policies which would have been included in the assessment, and which have now superseded SPP 2014 are as follows:

NATIONAL PLANNING FRAMEWORK 4

NPF4 was adopted by the Scottish Ministers on 13th February 2023. NPF4 forms part of the statutory development plan, along with the Inverclyde Local Development Plan and its supplementary guidance. NPF4 supersedes National Planning Framework 3 (NPF3) and Scottish Planning Policy (SPP) (2014). NPF3 and SPP no longer represent Scottish Ministers' planning policy. The Clydeplan Strategic Development Plan and associated supplementary guidance cease to have effect from 13th February 2023 and as such no longer form part of the development plan.

NPF4 contains 33 policies and the following are considered relevant to this application.

Policy 7 – Historic Assets and Places

a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:

i. building is no longer of special interest;

ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;

iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or

iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.

c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:

i. architectural and historic character of the area;

ii. existing density, built form and layout; and

iii. context and siting, quality of design and suitable materials.

e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.

f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:

- i. reasonable efforts have been made to retain, repair and reuse the building;
- ii. the building is of little townscape value;
- iii. the structural condition of the building prevents its retention at a reasonable cost; or
- iv. the form or location of the building makes its reuse extremely difficult.

g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.

h) Development proposals affecting scheduled monuments will only be supported where:

- i. direct impacts on the scheduled monument are avoided;
- ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or
- iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.

i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.

j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.

k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.

l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.

m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.

n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:

- i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
- ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.

o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.

Policy 14- Design, Quality and Place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:
 - Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.
 - Pleasant: Supporting attractive natural and built spaces.
 - Connected: Supporting well connected networks that make moving around easy and reduce car dependency
 - Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
 - Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
 - Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.Further details on delivering the six qualities of successful places are set out in Annex D.
- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 16 – Quality Homes

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:
 - i. meeting local housing requirements, including affordable homes;
 - ii. providing or enhancing local infrastructure, facilities and services; and
 - iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
 - i. self-provided homes;
 - ii. accessible, adaptable and wheelchair accessible homes;
 - iii. build to rent;
 - iv. affordable homes;
 - v. a range of size of homes such as those for larger families;
 - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
 - vii. homes for people undertaking further and higher education; and
 - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the

contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:

- i. a higher contribution is justified by evidence of need, or
- ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.

The contribution is to be provided in accordance with local policy or guidance.

f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:

- i. the proposal is supported by an agreed timescale for build-out; and
- ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
- iii. and either:
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
 - the proposal is consistent with policy on rural homes; or
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or
 - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

g) Householder development proposals will be supported where they:

- i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

Source: <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2023/02/national-planning-framework-4/documents/national-planning-framework-4-revised-draft/national-planning-framework-4-revised-draft/govscot%3Adocument/national-planning-framework-4.pdf>.

**9. HISTORIC ENVIRONMENT SCOTLAND –
MANAGING CHANGE IN THE HISTORIC
ENVIRONMENT GUIDANCE NOTE ON SETTING**



HISTORIC
ENVIRONMENT
SCOTLAND

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MANAGING CHANGE IN THE HISTORIC ENVIRONMENT

Setting





Above: Kilmartin Glen, Argyll and Bute. An important prehistoric linear cemetery composed of a number of burial cairns and standing stones. Intervisibility between elements of the complex, and views along the line of monuments, through and along the valley, are key to understanding each monument and the complex as a whole. © Kilmartin House Trust'

Cover image: Bronze-Age stone circle at Tomnaverie, Aberdeenshire. Many recumbent stone circles are located on elevated positions and are positioned to have wide-ranging views over the landscape. Views towards these monuments are also an important part of their setting as many appear skylined against the horizon.

MANAGING CHANGE IS A
SERIES OF NON-STATUTORY
GUIDANCE NOTES ABOUT
MANAGING CHANGE IN THE
HISTORIC ENVIRONMENT.
THEY EXPLAIN HOW TO APPLY
GOVERNMENT POLICIES.

The aim of the series is to identify the main issues which can arise in different situations, to advise how best to deal with these, and to offer further sources of information. They are also intended to inform planning policies and the determination of applications relating to the historic environment.

INTRODUCTION

This note sets out the principles that apply to developments affecting the setting of historic assets or places, including scheduled monuments, listed buildings, Inventory historic gardens and designed landscapes, World Heritage Sites, conservation areas, historic battlefields, Historic Marine Protected Areas and undesignated sites.

Planning authorities usually make the initial assessment of whether a development will affect the setting of a historic asset or place. However, this may also be identified through other mechanisms such as an Environmental Impact Assessment (EIA) or Strategic Environmental Assessment (SEA). If a planning authority identifies a potential impact on a designated historic asset, it may consult Historic Environment Scotland, who act as statutory consultees in the planning process.

World Heritage Site status brings a commitment to protect the site's cultural significance and the Outstanding Universal Value for which the site is inscribed. This may include reference to aspects of setting.



Clava Cairns, Highland. An important Bronze-Age cemetery complex of burial cairns and standing stones. Intervisibility of elements of the complex is key to understanding the scheduled monument. © Crown copyright: Historic Environment Scotland. Licensor canmore.org.uk

Below: Fort Augustus lock flight, Caledonian Canal, Highland. Running from Inverness to Banavie, near Fort William, the scheduled Caledonian Canal represents the culmination of 18th-century canal construction in Scotland. The modern village of Fort Augustus developed along the locks, and views along the lock flight clearly reveal the relationships between the urban topography and the canal. © J. Malcolm



KEY ISSUES

1. Setting can be important to the way in which historic structures or places are understood, appreciated and experienced. It can often be integral to a historic asset's cultural significance. Planning authorities must take into account the setting of historic assets or places when drawing up development plans and guidance, when considering environmental and design assessments/statements, and when making decisions on planning applications.
2. Where development is proposed it is important to:
 - identify the historic assets that might be affected
 - define the setting of each historic asset
 - assess the impact of any new development on this
3. Setting often extends beyond the property boundary or 'curtilage' of an individual historic asset into a broader landscape context. Both tangible and less tangible elements can be important in understanding the setting. Less tangible elements may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes.
4. If proposed development is likely to affect the setting of a key historic asset, an objective written assessment should be prepared by the applicant to inform the decision-making process. The conclusions should take into account the significance of the asset and its setting and attempt to quantify the extent of any impact. The methodology and level of information should be tailored to the circumstances of each case.
5. In the light of the assessment described above, finalised development proposals should seek to avoid or mitigate detrimental impacts on the settings of historic assets.
6. Advice on whether a planning application should include an assessment of the development's impact on setting should be sought from the planning authority.

1. WHAT IS 'SETTING'?

'Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.

Monuments, buildings, gardens and settlements were almost always placed and orientated deliberately, normally with reference to the surrounding topography, resources, landscape and other structures. Over time, these relationships change, although aspects of earlier settings can be retained.

Setting can therefore not simply be defined by a line on a map, and is likely to be unrelated to modern landownership or to curtilage, often extending beyond immediate property boundaries into the wider area.

Baltersan Castle, South Ayrshire. A category A listed 17th-century tower house, viewed from the 15th-century gatehouse of the adjacent Crossraguel Abbey. The medieval burgh of Maybole lies beyond, marked by the bell tower of the tolbooth. These elements of the late medieval / early modern Maybole area have clear visual and spatial relationships. © J. Malcolm

2. WHAT FACTORS CONTRIBUTE TO SETTING?

The setting of a historic asset can incorporate a range of factors, not all of which will apply to every case. These include:

- current landscape or townscape context
- views to, from and across or beyond the historic asset or place
- key vistas (for instance, a 'frame' of trees, buildings or natural features that give the historic asset or place a context, whether intentional or not)
- the prominence of the historic asset or place in views throughout the surrounding area, bearing in mind that sites need not be visually prominent to have a setting
- aesthetic qualities



- character of the surrounding landscape
- general and specific views including foregrounds and backdrops
- views from within an asset outwards over key elements in the surrounding landscape, such as the view from the principal room of a house, or from a roof terrace
- relationships with other features, both built and natural
- non-visual factors such as historical, artistic, literary, place name, or scenic associations, intellectual relationships (e.g. to a theory, plan or design), or sensory factors
- a ‘sense of place’: the overall experience of an asset which may combine some of the above factors

Defining the setting of a historic asset or place is case-specific and will ultimately rely on informed judgement, based on a range of considerations, including those set out above.

Cullen Seatown, Moray. In this conservation area the layout of the buildings is closely linked to the landscape context: on the north side of the village, gables face the sea to maximise shelter; here, on the south side, the houses are aligned to maximise light. © N. Haynes



3. ASSESSING THE IMPACT OF CHANGE

There are three stages in assessing the impact of a development on the setting of a historic asset or place:

- **Stage 1: identify the historic assets** that might be affected by the proposed development
- **Stage 2: define and analyse the setting** by establishing how the surroundings contribute to the ways in which the historic asset or place is understood, appreciated and experienced
- **Stage 3: evaluate the potential impact of the proposed changes** on the setting, and the extent to which any negative impacts can be mitigated (see Section 4)

Stage 1: identify the historic assets

A desk assessment of historic environment records and other relevant material will provide the baseline information, identifying which assets will be affected and what is significant about them.

The initial approach should include all the potentially affected historic assets and places (including those relatively distant from the proposal) and their settings. It may be necessary to engage a suitably qualified historic environment consultant to undertake this identification and assessment.

Neist Point Lighthouse, Skye, Highland. The remote location and open views are important elements in the function and setting of the category B listed lighthouse. Seaward views are important, and views towards the lighthouse from shipping channels also form part of the setting.



Stage 2: define and analyse the setting

The setting of a historic asset comprises our present understanding and appreciation of its current surroundings, and what (if anything) survives of its historic surroundings combined with subsequent historic changes. Answering the following questions often helps define a setting:

- How do the present surroundings contribute to our ability to appreciate and understand the historic asset or place?
- How does the historic asset or place contribute to its surroundings? For instance, is it a prominent or dominant feature in the landscape?
- When the historic asset or place was developed or in use (both originally and subsequently):
 - how was it intended to be viewed? From a distance? From other sites, buildings or specific points in the landscape?
 - what views was it intended to have? Wide views over the landscape or seascape? Confined views? Narrow alignment(s)?

Key viewpoints to, from and across the setting of a historic asset should be identified. Often certain views are critical to how a historic asset is or has been approached and seen, or understood when looking out. These views were sometimes deliberately manipulated, manufactured and/or maintained, and may still be readily understood and appreciated today. Depending on the historic asset or place these could include specific points

on current and historical approaches, routeways, associated farmland, other related buildings, monuments, natural features, etc.

Sometimes these relationships can be discerned across wide areas and even out to distant horizons. In other cases they have a more restricted view, defined and enclosed by topographical or built features. For some historic assets and places, both immediate and distant points of visual relationship are crucial to our understanding of them.

Changes in the surroundings since the historic asset or place was built should be considered, as should the contribution of the historic asset or place to the current landscape. In some cases the current surroundings will contribute to a sense of place, or how a historic asset or place is experienced.

The value attributed to a historic asset by the community or wider public may influence the sensitivity of its setting. Public consciousness may place a strong emphasis on an asset and its setting for aesthetic reasons, or because of an artistic or historic association. Such associative values can contribute to the significance of a site, and to the sensitivity of its setting.

Whether or not a site is visited does not change its inherent value, or its sensitivity to alterations in its setting. This should be distinguished from the tourism, leisure or economic role of a site. Tourism and leisure factors may be relevant in the overall analysis of the impact of a proposed development, but they do not form part of an assessment of setting impacts.

In certain circumstances the value attributed to a historic asset by the community or wider public may influence the sensitivity of its setting. Public consciousness may place a strong emphasis on an asset and its setting for aesthetic reasons, or because of an artistic or historic association. Such associative values can contribute to the significance of a site, and to the sensitivity of its setting. However, it is important to emphasise that an asset has a setting whether it is visited or not.

Stage 3: evaluate the potential impact of the proposed changes

The impact of a proposed development on the setting of a historic asset or place can be a material consideration in determining whether a planning or other application is given consent, so thought must be given to whether new development can be incorporated

Aerial view of Kinross House (1684) and gardens and Lochleven Castle, Perth and Kinross. The category A listed house and gardens which feature on the Inventory of Gardens and Designed Landscapes, designed by Sir William Bruce as his main residence, used the castle and the island as a picturesque focal point in the landscape.
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sensitively. Depending on the nature of the historic asset or place, relatively small changes in the wider landscape may affect its setting.

Certain types of development require an Environmental Impact Assessment (EIA), which might include assessing the impact on the setting of a historic asset or place. Further information and advice about EIA can be found on our [website](#).

Factors to be considered in assessing the impact of a change on the setting of a historic asset or place include:

- whether key views to or from the historic asset or place are interrupted
- whether the proposed change would dominate or detract in a way that affects our ability to understand and appreciate the historic asset
- the visual impact of the proposed change relative to the scale of the historic asset or place and its setting



- the visual impact of the proposed change relative to the current place of the historic asset in the landscape
- the presence, extent, character and scale of the existing built environment within the surroundings of the historic asset or place and how the proposed development compares to this
- the magnitude of the proposed change relative to the sensitivity of the setting of an asset – sometimes relatively small changes, or a series of small changes, can have a major impact on our ability to appreciate and understand a historic asset or place. Points to consider include:
 - the ability of the setting to absorb new development without eroding its key characteristics
 - the effect of the proposed change on qualities of the existing setting such as sense of remoteness, current noise levels, evocation of the historical past, sense of place, cultural identity, associated spiritual responses
 - cumulative impacts: individual developments may not cause significant impacts on their own, but may do so when they are combined



Rosyth Castle, Fife. Once located on an island in the River Forth, the site was incorporated into the naval dockyards in the 20th century resulting in significant change to the scheduled monument's original setting. Any changes, including enhancement, need to be considered against the current setting.

Many Geographical Information Systems (GIS) packages support useful interpretative models, such as wireframes, viewshed analyses and digital terrain models. Graphic presentations such as photomontages, and landscape data-sets such as Historic Land-use Assessment (HLA), may also assist in reaching an understanding of a historic asset or place in the landscape and how development may affect it.

4. MITIGATION OF IMPACTS AND ENHANCEMENT OF SETTING

Where the assessment indicates that there will be an adverse impact on the setting of a historic asset or place, even if this is perceived to be temporary or reversible, alterations to the siting or design of the new development should be considered to remove or reduce this impact.

The most effective way to prevent impacts on setting is during site selection and early design. Any mitigation and enhancement proposals should be discussed as part of the pre-application process.

Burghead Harbour, Moray. Early 19th century listed granaries line the quayside. Their even spacing, scale and relationship to the wet dock and to the grid-plan town are relevant to an understanding of the setting. © N. Haynes

Other mitigation measures include screening the development, for example with trees or bunding (enclosing structures). However, the screening itself needs careful consideration so that it does not cause an impact in its own right.

It is also important to bear in mind that vegetation such as trees are subject to environmental and other factors (e.g. wind blow, felling and seasonal changes which affect leaf cover) and cannot necessarily be relied upon to mitigate adverse impacts of a development. In some cases, there may be potential for improving the setting of a historic asset or place, for example by opening up views through removing vegetation.





The Inventory garden and designed landscape at Crathes Castle, Aberdeenshire. The formality of the late 18th and 19th century gardens contrasts with the farmland beyond. © N. Haynes

5. FURTHER INFORMATION AND ADVICE

Historic Environment Scotland is charged with ensuring that our historic environment provides a strong foundation in building a successful future for Scotland. One of its roles is to provide advice about managing change in the historic environment.

Information for designated heritage assets can be downloaded from Historic Environment Scotland's [spatial data warehouse](#) or viewed at [Pastmap](#).

The Hermitage. An 18th-century picturesque Inventory designed landscape, Perth and Kinross. Both William and Dorothy Wordsworth featured The Hermitage in their writing. Ossian's Hall (pictured) was placed to take advantage of views over the falls, and the sound created by them. These elements also contribute to an appreciation of the nearby woodland walks, and combine to form part of the setting.



Details of listed buildings and advice on the requirement for listed building consent, conservation area consent, building warrants and other permissions/consents should be sought from local authorities.

Most works at monuments scheduled under the Ancient Monuments and Archaeological Areas Act 1979 require scheduled monument consent. Where a structure is both scheduled and listed, the scheduling controls have precedence. Separate advice is available from Historic Environment Scotland's [website](#).

Planning authorities also have their own historic environment records and policies in local development plans and supplementary guidance.

Other sources of information

Mitigation measures in Environmental Impact Assessment (EIA) terms are explained in [Planning Advice Note \(PAN\) 1/2013](#):

Aerial photography and other records of the settings of historic structures or places can be obtained from Historic Environment Scotland, John Sinclair House, 16 Bernard Terrace, Edinburgh, EH8 9NX

Tel: 0131 662 1456,
Fax: 0131 662 1477
Email: info@rcahms.gov.uk
Web: www.historicenvironment.scot

The setting of heritage structures, sites and areas is the subject of the [ICOMOS Xi'an Declaration on the Conservation of the Setting of Heritage Structures, Sites and Areas \(2005\)](#)

Historic Land-use Assessment (HLA)

The HLA, developed by Historic Environment Scotland, is a GIS-based map that depicts the historic origin of land-use patterns, describing them by period, form and function. Its purpose is to enhance our knowledge and understanding of the historic dimension of the landscape and to inform management decisions relating to it. It highlights relict archaeological landscapes, aids understanding of the landscape context of individual sites and helps identify areas where further survey could be useful. It is available [here](#).

Gardens and designed landscapes

The Gardens Trust has [Planning Conservation Advice Notes](#) on Development in the Setting of Historic Designed Landscape (Number 11 2008) and Briefs for Historic Landscape Assessments (Number 13 2008)

Scottish Natural Heritage (SNH) has also produced [landscape guidance](#):

Wind energy development

The Scottish Government has produced [guidance for wind planning applications](#).

SNH has produced a [suite of documents](#) to assist in the process of assessing the potential impacts of wind farm proposals on Scotland's landscapes.

Historic Marine Protected Areas

Guidance is located [here](#).



Balfarg henge and standing stones, Fife. An example of a scheduled monument now surrounded by a 1970s housing development: the two photos show the site before and after redevelopment. Upper image © Crown Copyright: HES. Licensor canmore.org.uk. Lower image © K. Brophy



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10. HISTORIC ENVIRONMENT SCOTLAND – HISTORIC ENVIRONMENT POLICY FOR SCOTLAND

HISTORIC ENVIRONMENT POLICY FOR SCOTLAND



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INTRODUCTION

The historic environment is our surroundings as they have been shaped, used and valued by people in the past, and continue to be today. It is central to our everyday lives and our sense of place, identity and wellbeing.

It is wide-ranging – including natural and built features – and it can be valued for both its tangible and intangible aspects.

The principles and policies that make up the Historic Environment Policy for Scotland (HEPS) help us to care collectively for this precious resource as we work towards a shared vision:



Scotland's historic environment is understood and valued, cared for and protected, enjoyed and enhanced. It is at the heart of a flourishing and sustainable Scotland and will be passed on with pride to benefit future generations”

OUR PLACE IN TIME

WORDS AND PHRASES USED IN THIS POLICY

These are definitions of terms and phrases as they are used in this policy, to ensure that we are all using them in the same way. Some of the following definitions have been adopted from other sources (named in brackets).

asset

An asset (or 'historic asset' or 'heritage asset') is a physical element of the historic environment – a building, monument, site, place, area or landscape identified as having cultural significance.

community

A community is a group of people connected by location or by a common interest.

community of place

A community of place, or place-based community, is a group of people connected because of where they live, work, visit or otherwise spend a large amount of time. It can also refer to a group of people connected to a particular geographic location.

communities of practice and interest

Communities of practice are groups of people who share a concern or a passion for a place or something they do. A community of interest is a group of people who identify with or share a similar interest or experience.

cultural heritage

Cultural heritage is an expression of the ways of living developed by a community and passed on from generation to generation. It can include customs, practices, places, objects, artistic expressions and values, aesthetic, historic, scientific, social or spiritual aspects. (ICOMOS 2002)

cultural significance

Cultural significance means aesthetic, historic, scientific or social value for past, present or future generations. Cultural significance can be embodied in a place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. (Australia ICOMOS Burra Charter 2013)

decision-maker

A decision-maker for the historic environment is anyone who has a role or interest in making decisions that might affect it. In this context the term often refers to planning authorities, but it could also mean individuals, public- or private-sector organisations, Ministers, communities or developers. The decisions might be about land use, funding, alterations to a building, site or place, or long-term strategies.

historic environment

The historic environment is ‘the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand’. (*Our Place in Time, the Historic Environment Strategy for Scotland*)

impact

The effect of changes on the historic environment is often referred to as the impact. This can be neutral, positive or negative. There can be impact on the physical elements of a place or on its setting, if its surroundings are changed so that our understanding, appreciation or experience is altered. Changes in the historic environment can also affect people’s associations with a place or its setting, and their responses to it.

mitigation

Mitigation refers to ways in which we can minimise the impact on the historic environment, avoid it, or make it less damaging. Sometimes it is possible to offset the impact, compensating for it through positive actions.

place

Place can refer to the environment in which we live, the people that inhabit these spaces and the quality of life that comes from the interaction of people and their surroundings. Architecture, public space and landscape are central to this. (*Creating Places: A Policy Statement on Architecture and Place for Scotland*)

planning system

The planning system is the process by which local and national government bodies make decisions about how and where development should take place. Change to some designated sites and places is also managed through separate consent regimes.

sustainable development

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. (*World Commission on Environment and Development*)

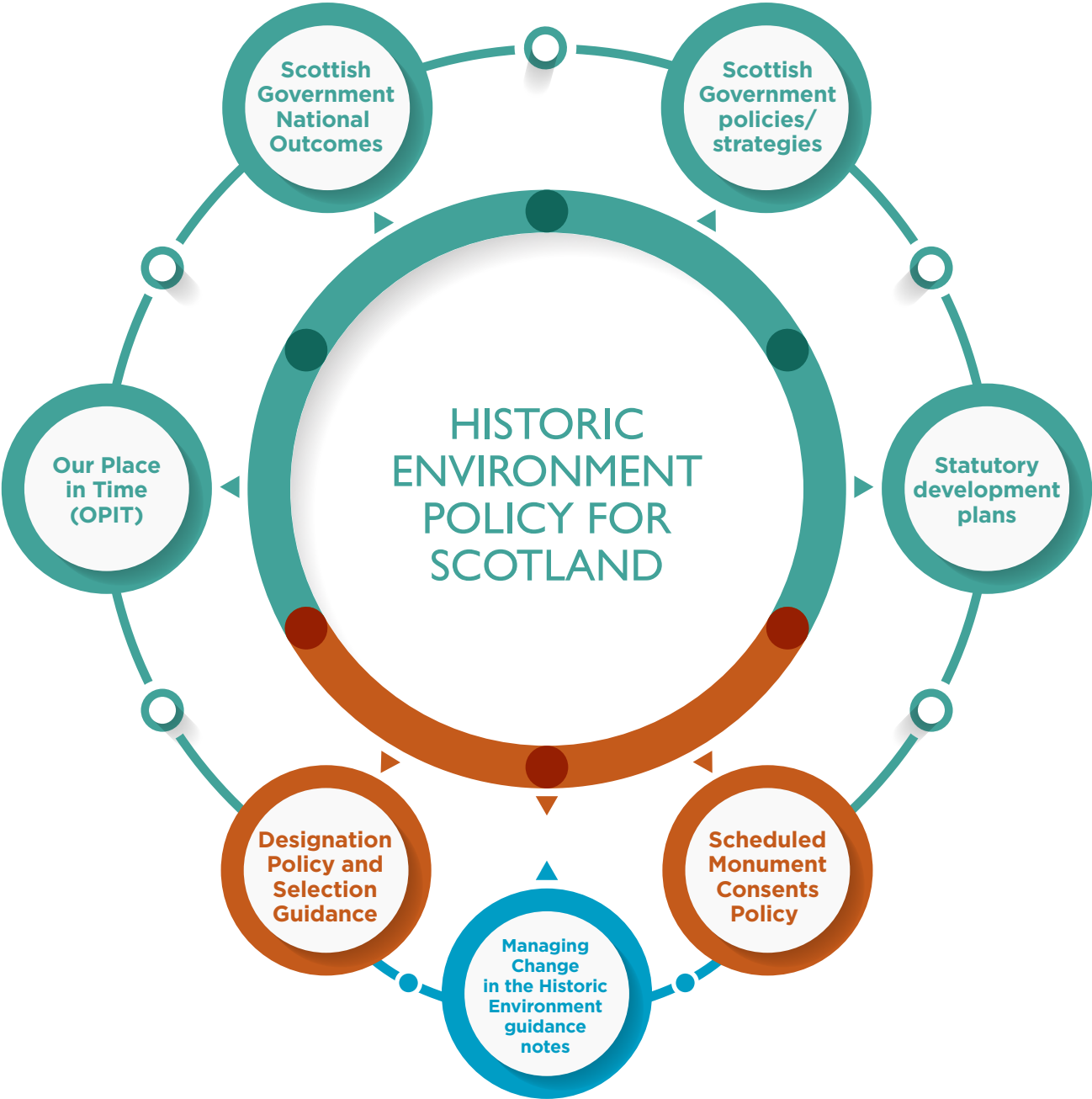
WHAT IS THE STATUS OF HEPS?

HEPS is a policy statement directing decision-making that affects the historic environment. It is non-statutory, which means that it is not required to be followed as a matter of law or statute. It is relevant to a wide range of decision-making at national and local levels. It is supported by detailed policy and guidance.

HEPS should be taken into account whenever a decision will affect the historic environment. This includes in plans and policies that deal with funding decisions or estate management, or other specific topics such as agriculture or energy. It is also a material consideration for planning proposals that might affect the

historic environment, and in relation to listed building consent and scheduled monument consent ('material consideration' means that decision-makers should take it into account when coming to a decision). Decisions on scheduled monument consent are made in line with Historic Environment Scotland's policy for determining consents at scheduled monuments (see 'Sources of further information and guidance').

The Scottish Government produces national policies for addressing land use matters and decisions. HEPS sits alongside these policies, and should be used with them.



WHAT IS HEPS FOR?

HEPS is designed to support and enable good decision-making about changes to the historic environment. Good decision-making takes into account all aspects of the historic environment and the different ways people value it. Good decision-making is transparent and open to challenge, and recognises that a wide range of factors can affect the historic environment in different ways. Changes might support its long-term survival, impact on its current management or even give us new information to improve our understanding of it.

HEPS sets out a series of principles and policies for the recognition, care and sustainable

management of the historic environment. It promotes a way of understanding the value of the historic environment which is inclusive and recognises different views. It encourages consistent, integrated management and decision-making to support positive outcomes for the people of Scotland. It also supports everyone's participation in decisions that affect the historic environment.

By doing these things, HEPS helps to deliver the vision and aims of *Our Place in Time*. It takes into account principles that the UK and Scottish governments have agreed to in international charters and conventions on cultural heritage and landscape.

HOW HAS HEPS BEEN DEVELOPED?

HEPS is for everyone who cares about decisions that affect the historic environment. This includes the people who make the decisions, as well as the people affected by or interested in them.

The policy has been developed using current research as well as established views about how to care for the historic environment. It also draws upon previous policy documents and related policy areas that affect or are affected by the historic environment.

HEPS has also been informed by work undertaken by HES to understand what the historic environment means to the people of Scotland. HES did this by listening to people's views on how to look after and manage the historic environment. These conversations have shaped this policy document.

POLICIES FOR MANAGING THE HISTORIC ENVIRONMENT

HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

WHAT ARE THE CHALLENGES AND OPPORTUNITIES FOR THE HISTORIC ENVIRONMENT?

There are a number of challenges and opportunities that affect how we understand, manage and care for the historic environment.

Decision-making has to be sufficiently flexible and adaptable to deal with wide-ranging and ongoing changes in society and the environment.

Good decisions will aim to achieve the best possible outcome for the historic environment and maximise its benefits.

LAND MANAGEMENT

Land management affects much of the historic environment. Changes to agricultural and land use policies and practice can have a significant impact.

CREATING AND MAINTAINING PLACES

The changing places where we live, work and play, and the ways we understand and relate to them, are among the wide range of factors that affect our wellbeing. The historic environment plays a key part in making good places.

DIVERSITY, EQUALITY AND ACCESS

Established ways of recognising and managing the historic environment haven't always reflected our whole society. It is important to talk about the past in a way that recognises its diversity. The historic environment should be accessible and inclusive, providing a source of inspiration, enjoyment and learning for all.

ROLES AND RESPONSIBILITIES

Taking care of the historic environment is a shared responsibility. Sometimes the interests of different groups and individuals overlap, and this can cause confusion and tension about roles and responsibilities.

FUNDING

Some historic places and sites will rely on external funding. There are difficult choices to be made about where to spend available money, and opportunities to think creatively about approaches to funding.

SUSTAINABLE TOURISM

Tourism brings huge benefits to the wider economy and can provide financial resources for looking after historic sites and buildings. High visitor numbers can also affect the sites themselves, sometimes creating management challenges.



C
OP

CLIMATE CHANGE

Climate change and the effort required to mitigate and adapt to its effects have a significant impact on the historic environment. We are still working as a society to understand this impact.

SOCIETAL CHANGE

Our communities and lifestyles are changing; our population is ageing and shifting. This can have an impact on the historic environment, changing how we interact with it and value it.

INTANGIBLE CULTURAL HERITAGE

Established ways of managing the historic environment are often based around physical structures such as buildings and monuments – but the historic environment is made up of both intangible and tangible cultural elements.

A HOLISTIC APPROACH TO THE ENVIRONMENT

All of our landscapes – rural and urban – are part of the historic environment. Established ways of managing them don't always recognise that natural and cultural benefits and outcomes are often interdependent.

ECONOMIC CHANGE

Changes to the economy, whether positive or negative, have an impact on the historic environment and how it is looked after and managed. The historic environment contributes to our economy and can be a source of sustainable growth.

COMMUNITY PARTICIPATION AND EMPOWERMENT

Decisions about the historic environment have an impact on people and communities. Empowering communities and broadening participation improves outcomes for people and for the historic environment.

REGULATORY CHANGE

Changes to a wide range of laws and regulations can affect the management of the historic environment. It can be hard to predict and fully understand the impact of these changes.

SKILLS AND CAPACITY

Good management relies on decision-makers having access to the right skills, expertise and capacity to look after the historic environment and make informed decisions.

CHALLENGES AND OPPORTUNITIES



POLICIES AND PRINCIPLES

The following policies and core principles set out HES's understanding of how the historic environment should be managed and how to apply these principles.

The principles in this document are the fundamental ideas that underpin desirable and positive outcomes for the historic environment. These principles are the basis for the policies outlined here. The policies describe how the principles should be implemented.

UNDERSTANDING AND RECOGNITION: POLICIES AND PRINCIPLES

Policy on understanding and recognition

HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

Core principles on understanding and recognition

- **Recognising the cultural significance of sites and places supports good decision-making.**
- **A place must be understood in order for its cultural significance to be identified.**
- **A wide range of factors contribute to cultural significance.**
- **Knowledge and information about the historic environment is critical to our understanding of our past, present and future.**
- **The historic environment changes over time, and so does how it is understood and appreciated.**
- **Research, discussion and exchange of ideas can all contribute to our understanding of the historic environment.**
- **Understanding will improve when information is made widely available and everyone has the opportunity to contribute to knowledge of the historic environment.**

How these principles are applied

People have created the character, diversity and distinctiveness of the historic environment over time. It is fundamental to people's sense of belonging; it provides tangible links with the past, helps to define who we are, and shapes our lives today. The qualities an asset or place has and expresses may be rare, finite and vulnerable to change. Sometimes the value of a place becomes apparent only through the process of change.

Decisions affecting the historic environment should be based on careful consideration of cultural significance. This helps to ensure that the historic environment can be appreciated today and passed on with confidence for the future.

To understand a place's cultural significance, we have to understand the place itself. This involves thinking about its physical and material elements – how much of it has survived or how much of it has changed through time, as well as its wider context and setting. Elements of places which may not have a physical presence but which contribute to cultural significance need to be recognised. These intangible qualities include the knowledge and associations people have with a particular place; they might involve elements such as language and poetry, stories and song, and skills and traditions.

Different individuals and groups of people value places in different ways. Understanding this helps us to understand the cultural significance of places for past, present and future generations. Recognising why places are culturally significant helps to fulfil a range of social, environmental and economic needs.

Access to as much information and knowledge as possible is essential for understanding cultural significance. This knowledge should be shared. An inclusive approach takes account of different ways of looking at things and valuing them, and diverse interpretations of our past and heritage.

As a society, we recognise value in many different ways: in records in archives, pieces in museum collections or the legal protection given to some of our most valued historic places. Many other ways of recognising value are part of our everyday lives. We share local knowledge, cultural practices, the language we use and the stories we tell. The diversity of Scotland's rich cultural heritage should be celebrated in all its forms. People should have the opportunity to contribute to our understanding, and influence decision-making for the historic environment.

MANAGING CHANGE: POLICIES AND PRINCIPLES

Policies on managing change

HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

Core principles on managing change

- **Some change is inevitable.**
- **Change can be necessary for places to thrive.**
- **Caring for the historic environment benefits everyone, now and in the future.**
- **Good decisions take a long-term view.**
- **Good decisions reflect an understanding of the wider environment.**
- **Good decisions are well-informed, transparent, robust, consistent and proportionate.**
- **Good decisions make sure that nothing is lost without considering its value first and exploring options for avoiding its loss.**
- **To manage the historic environment in a sustainable way, its cultural significance and the cultural significance of elements within it have to be understood.**

How these principles are applied

The historic environment enhances our quality of life and is a hugely valuable social, cultural, economic and environmental resource. It is finite and much of it can't be replaced. Good management maintains the quality of this resource and secures its benefits, making sure that nothing is lost without considering its value and exploring options for avoiding its loss.

Cultural significance should be considered in order to manage change through national and local policies as well as other land use management systems. If a place has cultural significance or has the potential for important new discoveries, decision-makers need to consider this when making decisions. In the planning system, this is called a 'material consideration'.

When decisions are made that affect places of cultural significance, the focus should be on avoiding or minimising adverse impact. Wherever possible, special characteristics and qualities should be protected, conserved or enhanced. Lots of actions can contribute to this, including:

- conservation
- effective maintenance
- restoration and conversion
- land management
- sensitive use of materials
- building techniques and high-quality new design
- creative and informed approaches to new development
- robust and proportionate regulation

These principles apply to the whole of the historic environment. In some cases, sites are given legal protection through formal designations, which can bring more formal obligations. In the case of listed buildings, scheduled monuments and conservation areas, consent is required for many works.

Understanding the development of the environment through time helps to inform management decisions. It offers a longer-term perspective on issues affecting the historic environment – issues like the effect of past climate change and land management. The historic environment has to be managed in a sustainable way so that it can be understood and appreciated, and so that it can benefit present and future generations.

Before decisions are made, their impact should be understood. If there is no way of being confident about what the impact of an action will be, the only way to be certain that there will be no damage is to avoid the action. This is referred to as the precautionary principle.

Sometimes the best actions for the historic environment will not be the best actions for other interests. There will be occasions where decision-makers need to manage conflicting needs. Potential conflicts should be identified and reduced as much as possible.

When decision-makers are considering potential changes, whether as a result of a development proposal or arising from environmental processes, they should use this general approach:

Understand the historic environment

- Understand and analyse the historic environment, context, asset or place.
- Understand the cultural significance of any affected assets or places.

Understand the background for the change

- Identify and understand the nature of and reasons for the change.

Understand the likely impact of proposed actions or decisions

- Assess and predict the likely level of the impact of proposals on the historic environment, context, asset or place.
- Make the level of impact clear so that it can inform decision-making.

Making decisions about impact

- Avoid negative impact where possible.
- Minimise any impact that cannot be avoided.
- Keep intervention to a minimum.
- Ensure changes to a site or place are proportionate to its cultural significance.
- Consider less detrimental alternatives if they can deliver the same objectives.
- Identify opportunities for mitigation throughout, and as early as possible.
- Identify opportunities for furthering our knowledge and understanding where possible.

Monitoring

- Put monitoring measures in place to make sure that any mitigation has been implemented.
- Make sure measures are in place to identify any unforeseen or unintended consequences.
- Monitor the outcome and impact of the decision to provide a sound knowledge base for future policy and decision-making.

WORKING TOGETHER: POLICIES AND PRINCIPLES

Policies on working together

HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

Core principles on working together

- **Everyone has a stake in the historic environment and how it is looked after.**
- **Effective management is a collective effort.**
- **Effective management takes wider interests into account.**
- **Good management empowers and involves communities.**
- **Early dialogue and close collaboration lead to better outcomes.**

How these principles are applied

Changes to our society, climate and economy create significant challenges for the historic environment. Resources need to be managed sustainably to balance competing demands. The different ways communities and individuals place value on the historic environment should be recognised.

Effective management of the historic environment is a shared endeavour involving individuals and organisations who own, use, manage or care about heritage. People should be empowered to use their heritage to develop their communities and places in a sustainable way. We all need to work collaboratively to respond to the challenges and opportunities we are facing, to make sure the outcome is as fair as possible.

When making decisions about the historic environment, different interests need to be taken into account. Decision-makers need to consider the consequences of decisions for a range of people. In doing this, tensions and conflicts can arise. Interrelationships and areas of common ground should be identified to encourage dialogue and collaboration, rather than focusing on competing views.

DELIVERY AND MONITORING

Good decision-making balances current circumstances with long-term aspirations. This is central to the sustainable management of the historic environment. It is a collective responsibility to ensure that we are all striking that balance.

Decision-makers should understand and monitor decisions affecting the historic environment to learn from experience and to improve future decisions. Historic Environment Scotland will monitor this policy in collaboration with other interested parties over a ten-year period until 2029.

SOURCES OF FURTHER INFORMATION AND GUIDANCE

Strategy, policy and procedure

Our Place in Time:
The Historic Environment
Strategy for Scotland

Historic Environment Scotland:
Designation Policy and
Selection Guidance
<https://www.historicenvironment.scot/designation-policy>

Designations application from
[historicenvironment.scot/
designation-application](http://historicenvironment.scot/designation-application)

Historic Environment Scotland:
Scheduled Monument
Consents Policy
<https://www.historicenvironment.scot/smc-policy>

Historic Environment Circular 1:
Process and Procedures
<https://www.historicenvironment.scot/circular>

Scotland's Archaeology Strategy
<http://archaeologystrategy.scot>

Guidance

Managing Change in the Historic
Environment guidance series

Managing Change Demolition of
Listed Buildings
<https://www.historicenvironment.scot/demolition>

Managing Change Use and
Adaptation of Listed Buildings
<https://www.historicenvironment.scot/use-and-adaptation>

HES case studies
<https://www.historicenvironment.scot/adaptation-case-studies>

HES Technical advice notes
(TANs), Short Guides, Inform
Guides, and Practitioners Guides
<https://www.historicenvironment.scot/archives-and-research/publications>

Scottish Government Planning
Advice Note (PAN) 2/2011:
Planning and Archaeology
[www.gov.scot/publications/pan-2-
2011-planning-archaeology](http://www.gov.scot/publications/pan-2-2011-planning-archaeology)

Scottish Government Planning
Advice Note (PAN) 71:
Conservation Area Management
[www.gov.scot/publications/
conservation-management-
planning-advice](http://www.gov.scot/publications/conservation-management-planning-advice)

Online resources

Historic Environment
Scotland website -
[www.historicenvironment.scot/
advice-and-support](http://www.historicenvironment.scot/advice-and-support)

Designation records
and decisions -
[www.portal.
historicenvironment.scot](http://www.portal.historicenvironment.scot)

Canmore: National Record
of the Historic Environment
www.canmore.org.uk



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11. GREENOCK WEST END CONSERVATION AREA APPRAISAL

An aerial photograph of the Greenock West End area in Scotland, overlaid with a semi-transparent map showing the boundaries of the conservation area. The map highlights a central urban area with a grid-like street pattern, surrounded by more open land and other urban areas.

GREENOCK WEST END

CONSERVATION AREA APPRAISAL

March 2016

A decorative header image featuring a light green background with a faint, stylized map of a city grid, possibly Greenock, Scotland. The map lines are thin and light green, creating a subtle pattern across the top of the page.

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This document was prepared by the Scottish Civic Trust and Sonya Linskaill, Chartered Architect and Consultant.

1 INTRODUCTION, PURPOSE AND JUSTIFICATION

1.1 Date and reason for designation

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that conservation areas “are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.” Local authorities have a statutory duty to identify and designate such areas.

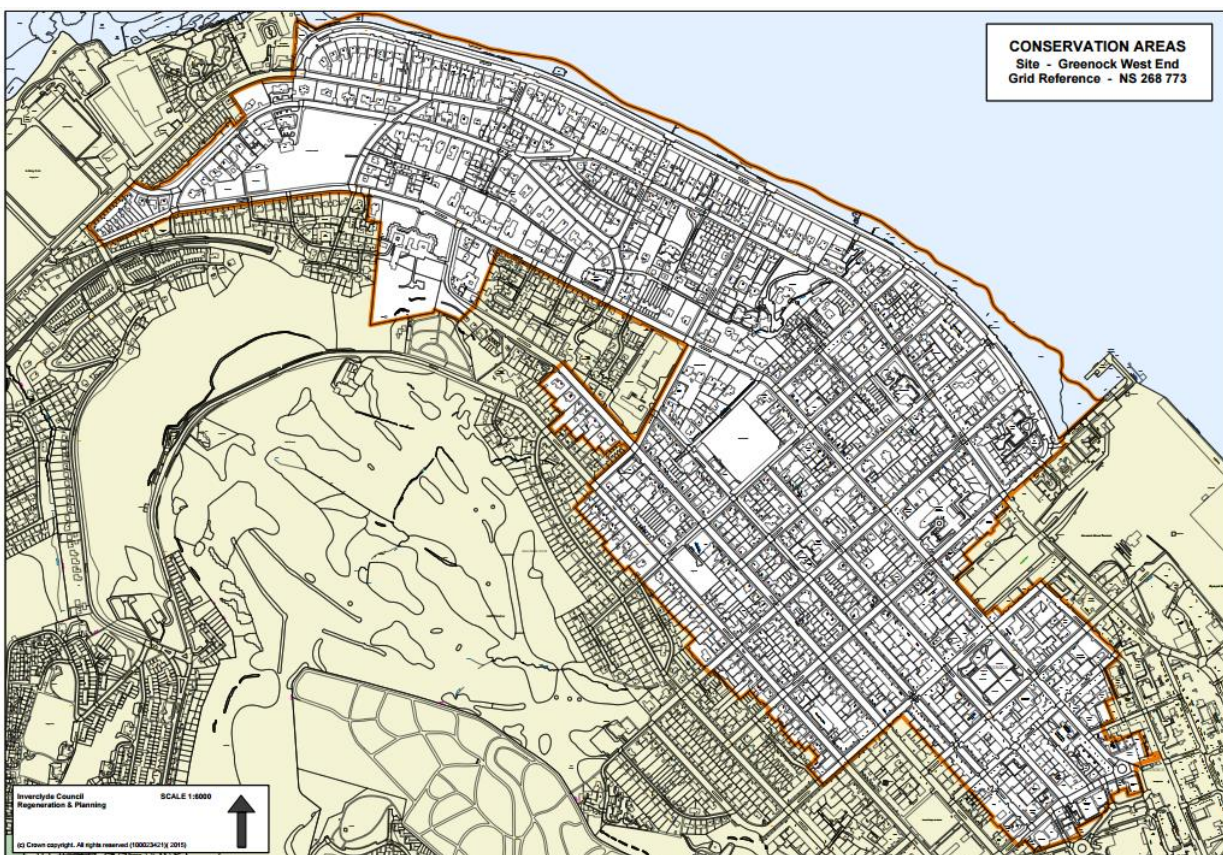
Greenock West End is a unique part of the urban heritage. It is an area in which a variety of styles of domestic and public architecture set in tree lined streets combine to provide a pleasant and desirable environment for residents and visitors alike. The architectural and historical significance of the West End was recognised in 1987 with the designation of the Conservation Area. The rationale behind the existing boundary is not

extant though it is understood that it was intended to be based on the Reid Plan of 1818. After extensive consultation, the conservation area was amended in 2007 to take account of the changes that had occurred since 1987. An Article 4 Direction for this new boundary was approved in 2009.

Conservation area status brings the following works under planning control:

- Demolition of unlisted buildings and structures
- Removal of, or work to, trees
- Development involving small house alterations and extensions, the installation of satellite dishes, roof alterations, solar panels, stone cleaning or painting of the exterior.

It is recognized that the successful management of conservation areas can only be achieved with the support and input from stakeholders, and in particular local residents and property owners.



Map 1 Conservation area

Source: Inverclyde Council

1.2 Purpose of appraisal

The purpose of the Conservation Area study is to identify and assess the special architectural or historical interest of the area along with those key elements that contribute to its character and appearance. These can then assist in defining the conservation area boundary and justifying any proposed alterations to it.

In addition, the study provides a basis upon which a programme can be developed by the Council to protect and enhance the conservation area through the identification of opportunities for enhancement and priorities for future management.

Planning authorities have a duty to prepare proposals for the preservation and enhancement of conservation areas, although there is no imposed timeframe for doing so. The Act also indicates that planning authorities must pay special attention to the desirability of preserving or enhancing the character or appearance of the designated area in making planning decisions that affect the area. A more considered and careful approach is therefore needed in considering development proposals in a conservation area.

This document therefore seeks to:

- Define the special interest of the conservation area and identify any issues which threaten the special qualities of the conservation area
- Provide guidelines to prevent harm and assist in the enhancement of the conservation area
- Provide Inverclyde Council with a valuable tool with which to inform its planning practice and policies for the area

The appraisal conforms to Scottish Government guidance as set out in Planning Advice Note 71: Conservation Area Management (December 2004).

Additional government guidance regarding the management of historic buildings and conservation areas is set out within Scottish Planning Policy (2014), Scottish Historic Environment Policy (SHEP) Historic Environment Scotland's series of Managing Change in the Historic Environment Guidance Notes. Please note that SHEP should be read in conjunction with the legislation and regulations set out in the Historic Environment Circular which explained the legislative requirements of the Historic Environment Scotland Act 2014.

This appraisal provides a firm basis on which applications for development within and in the vicinity of the conservation area can be assessed. It should be read in conjunction with the planning policies in the current Inverclyde Local Development Plan (2014):

- HER1 – Development which affects the Character of Conservation Areas;
- HER2 – Demolition in Conservation Areas;
- HER3 – Proposed New and Amended Conservation Areas;
- HER4 – Alteration, Extension and Demolition of Listed Buildings;
- HER5 – The Setting of Listed Buildings; and
- Any other relevant Local Development Plan policies

and the Supplementary Guidance on Planning Application Advice Notes. (PAANs)

1.3 Methodology

This appraisal has been prepared by the Scottish Civic Trust. The Trust was contracted in February 2016 to undertake a Conservation Area Character Appraisal of the Greenock West Conservation Area on behalf of Inverclyde Council.

A site survey of Greenock West End Conservation Area was carried out including a character assessment comprising: setting, views, activity and movement; street pattern and urban grain; historic townscape; the evidence of change from historic photographs and maps; spatial relationships; trees and landscaping; and negative factors.

The conservation area character appraisal and analysis are intended to help understanding and management of Greenock West End Conservation Area.

2 LOCATION AND LANDSCAPE

2.1 Location

The Greenock West End Conservation Area lies to the west of Greenock and on the south bank of the River Clyde where it opens into the Firth of Clyde. Greenock is a town and administrative centre in the Inverclyde council area in Scotland located in the west central Lowlands of Scotland. It forms part of a contiguous urban area with Gourock to the west and Port Glasgow to the east.

2.2 Relationship to Greenock

The Greenock West End Conservation Area is one of eight conservation areas designated by Inverclyde Council, and one of two in Greenock. The Greenock Cathcart Square and William Street Conservation Area is a very small area separated from the West End Conservation Area by the A78 and modern development and interventions in the town centre.

2.3 Geology and topography

Greenock West End overlooks the widest stretch of the Inner Firth, east of the 'gateway' formed by the narrowing at Kilcreggan and Kempock Point. Greenock West extends inland on gentle slopes to reach the main through road of the A770. From here, the settlement extends uphill, rising to the Greenock Golf Course on the summit of Bow Hill.

Greenock sits in the Central Belt of Scotland. The rocks which form the foundations of the Central Belt are buried by younger rocks. The exact nature of the geological foundations of the Central Belt, therefore, is uncertain. However, fragments of rock which are thought to have been eroded from the foundation rocks of the Central Belt (before they became buried) are largely volcanic in origin.

3 HISTORICAL DEVELOPMENT

The late mediaeval village of Greenock grew rapidly during the eighteenth century. The Act of Union in 1707 opened up the English colonies in America and the Caribbean to Scottish merchants. Providing a safe harbour between the mouth of the Clyde and Glasgow, Greenock was ideally placed to benefit from this new westward orientation of trade.

The town grew wealthy on the sugar trade, shipbuilding and related industries. By the end of the century pressure was growing for further expansion. Figure 1 shows the town in 1796.

A number of plans were prepared, at least two prior to 1800. In 1818 the Council adopted David Reid's 'Plan of the Town of Greenock and Its Environs, with the Intended Improvements'. This plan (see figure 2) envisaged four new grid style developments to the south and west of the existing town, of which the largest was the area now known as Greenock West End.

Reid's plan for Greenock West was for the grid to start at George Square and continue along the

existing Gourock High and Low Roads as far as Whitefordland Point. George Square had existed in theory since at least the 1790s. However, in practice it still was largely undeveloped in 1818. Figure 3 shows a detail from John Wood's map of 1825. It is clear that George Square, Ardgowan Square and the grid of streets still existed more on paper than on the ground.

The development of the area continued in an ad hoc way throughout the course of the nineteenth century with, on the whole, Reid's plan being adhered to.

McFarlane's map of Greenock (see figure 4) shows that by 1842 the shore was starting to be built up. Away from the coast, Brougham Street and Union Street were starting to take form.

The OS map of 1857 (see figure 5) shows the continuation of this trend. River front development now extended as far as what would become Roseneath Street. The building of the Mariners' Asylum extended the town along Newark Street (known at the time as High Gourock Road). The bowling green had appeared in the middle of Ardgowan Square, which itself was only partly built up.



Figure 1 Detail of Greenock on J Ainslie's map of County of Renfrew, 1796

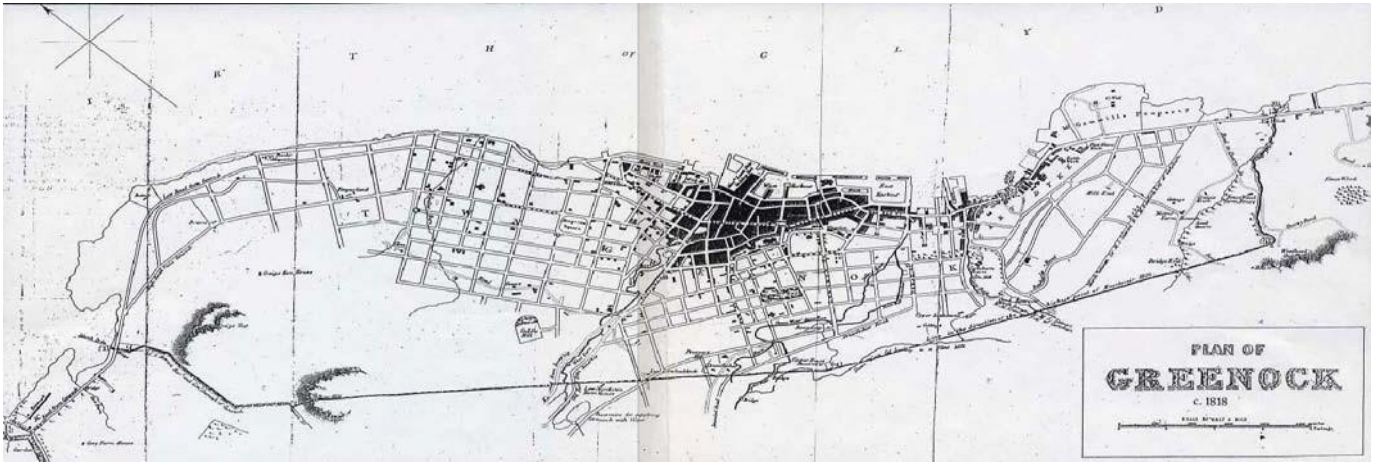


Figure 2 David Reid's plan of 1818



Figure 3 Detail of Ardgowan Square-George Square area from John Wood's map of 1825



Figure 4 Detail from A McFarlane – Greenock 1842

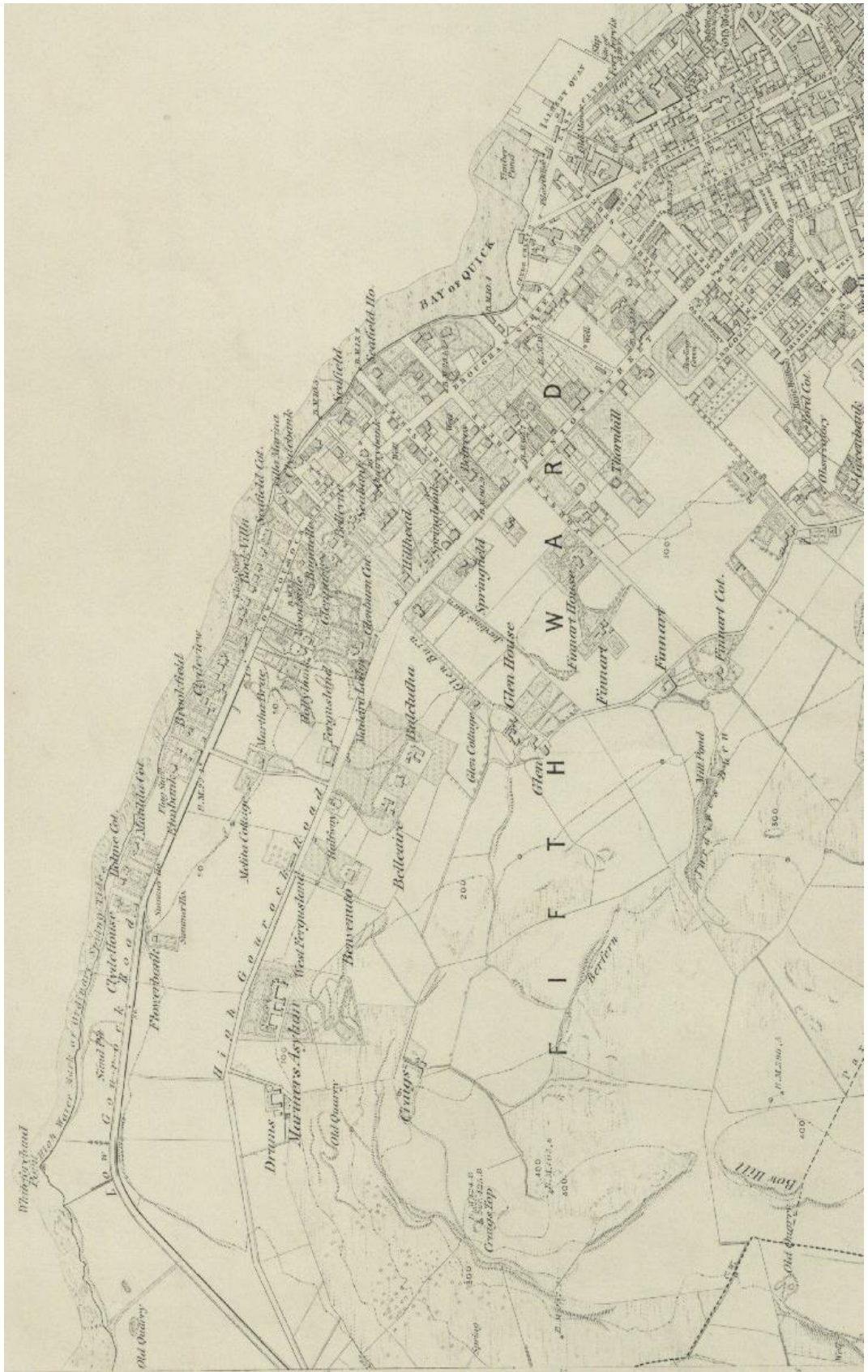


Figure 5 Detail from OS map of 1857

The 1857 map shows that most of the linking roads between Newark Street and Eldon Street had not been constructed. At this point the Esplanade had not been built. Road access to these grand villas was from Brougham/Eldon Street. The Esplanade was built from 1863-76 using material excavated during the construction of the Albert Dock.

Lack of a water supply had acted as a break on expansion of the town. This was finally overcome in 1872 with the completion of the Gryfe reservoir. The 1897 OS map (Figure 6) records a very different picture from the 1857. The grid envisaged by Reid was largely complete as far as Finnart Street. Newton Street and South Street were

partially developed. The grid pattern was never to be fully extended along these streets as proposed in the 1818 plan.

The street pattern from Newton Street up to the shore had largely been finalised in form that it exists today. A notable exception is Houston Street from Patrick Street to Robertson Street. In Reid's plan Houston Street was to run from West Stewart Street through to Campbell Street (Figure 3). By the time of the production of the 1910 OS map the Patrick Street to Robertson Street section had been laid out. However, Reid could not have anticipated the impact of the railways which took up much of the land between Robertson Street and Campbell Street.



Figure 6 Detail of OS map of 1897

4 Character and appearance

4.1 Spatial analysis

4.1.1 LAYOUT AND ACTIVITIES

The Greenock West End Conservation Area stretches north westward from the town centre occupying a broad section of land along the Clyde Estuary. The area is predominately residential, however by the very nature of such a large suburban area there are other commercial and public uses. The pattern of use is broadly related to proximity to the town centre. At the eastern end of the conservation area there is a concentration of public buildings and commercial uses, diminishing as the streets progress to the west. As will be described in section 4.3, spatial pattern and activity are significant factors in defining three Character Areas within the conservation area: South East, Central and North West.

The **South East Area** is bounded by Nelson Street, Brisbane Street, Robertson Street and Union/Houston Streets, chiefly developed during the first half of the 19th century. The area from George Square to Ardgowan Square is urban in nature with a concentration of civic buildings around George Square and on Nelson Street including seven churches (or former churches), and the Greenock Sheriff Court. The principal thoroughfare is Union Street with the Watt Library and its late Georgian villas which are commonly occupied by professional services such as solicitors' firms. Beyond this commercial activity the streets become residential.

By contrast, the **North West Area** is almost entirely residential. This area extends along the waterfront Esplanade and uphill on Eldon Place and Bentinck Street to encompass Octavia Terrace and the west end of Newark Street including the Sir Gabriel Wood's

Mariners' Home. The area is separated from the bustle of the town centre, although the principal east – west roads including the Esplanade and Eldon Street are busy traffic routes.

The **Central Area**, spans between the denser urban core and lower density North West. Like the latter it is also largely residential but the density of development is greater.

As discussed in Section 3, the layout of the conservation area was set out on a formal grid plan with principal streets running east – west and cross streets connecting those. The grid blocks are not uniform in size and vary in particular in length north to south to meet the principal streets. This is partly due to Reid's Plan accommodating the existing Gourock High Road (now Union /Newark Street) and Gourock Low Road (now Eldon /Brougham Street).

The regular grid realigns itself west of Johnston Street to accommodate the curve of the coast line and the block pattern is larger and looser, becoming more organic in the gently curving Octavia Terrace. The street pattern changes from buildings addressing the street and built close to the street line, to detached houses set back from the road in larger plots. A large section of the area between the Esplanade and Eldon Street has large single plots addressing the Esplanade, with houses originally accessed from Eldon Street.

4.1.2 OPEN SPACES, TREES AND LANDSCAPE

The tight urban grain of the east end of the conservation area means that open space and landscape are not a prominent feature. The principal open space is Ardgowan Square occupying a full urban block where a bowling green and curling pond were established in the early 19th century (McFarlane), now a

bowls and tennis club. Its well-tended grounds enclosed with decorative iron railings include an attractive Arts and Craft pavilion (1926). This was the only square indicated on Reid's Plan apart from the transitional George Square, a much smaller organic space where the new grid met the existing late 18th century town. The other major green spaces are the playing fields on Newark Road, the cricket club occupying another full block on Brisbane Street between Fox and Bedford Streets, and a small play park on the corner of Newton Street and Fox Street. Significant green open spaces lie outwith the conservation area to the south-west just beyond development including Lyle Park and Lyle Hill and adjacent Greenock Golf Club and Greenock Cemetery. These major, semi-natural landscapes provide an important green backdrop to the conservation area.

The most prominent open space in the conservation area is the Esplanade, set out from 1863-76. This broad shore line promenade is over a mile long along and offers open views out over the Clyde Estuary extending from the docks to Whiteforeland Point.

Whilst open green space is not prevalent, private gardens and mature trees introduce greenery through many parts of the conservation area. Road side trees are an attractive feature in several of the urban blocks; for example Campbell Street, Forsyth Street, Glen Street and on Union Street west of Campbell Street. In the west end of the conservation area where larger garden grounds exist their contribution is very positive in softening in particular the broad thoroughfares of Eldon Street and Newark Street.



Figure 7

Top left: Esplanade

Bottom left: Ardgowan Square, Ardgowan Bowling and Tennis Club showing pavilion

Right: Tree-lined Forsyth Street

Map 2 Open space

Source: Inverclyde Council

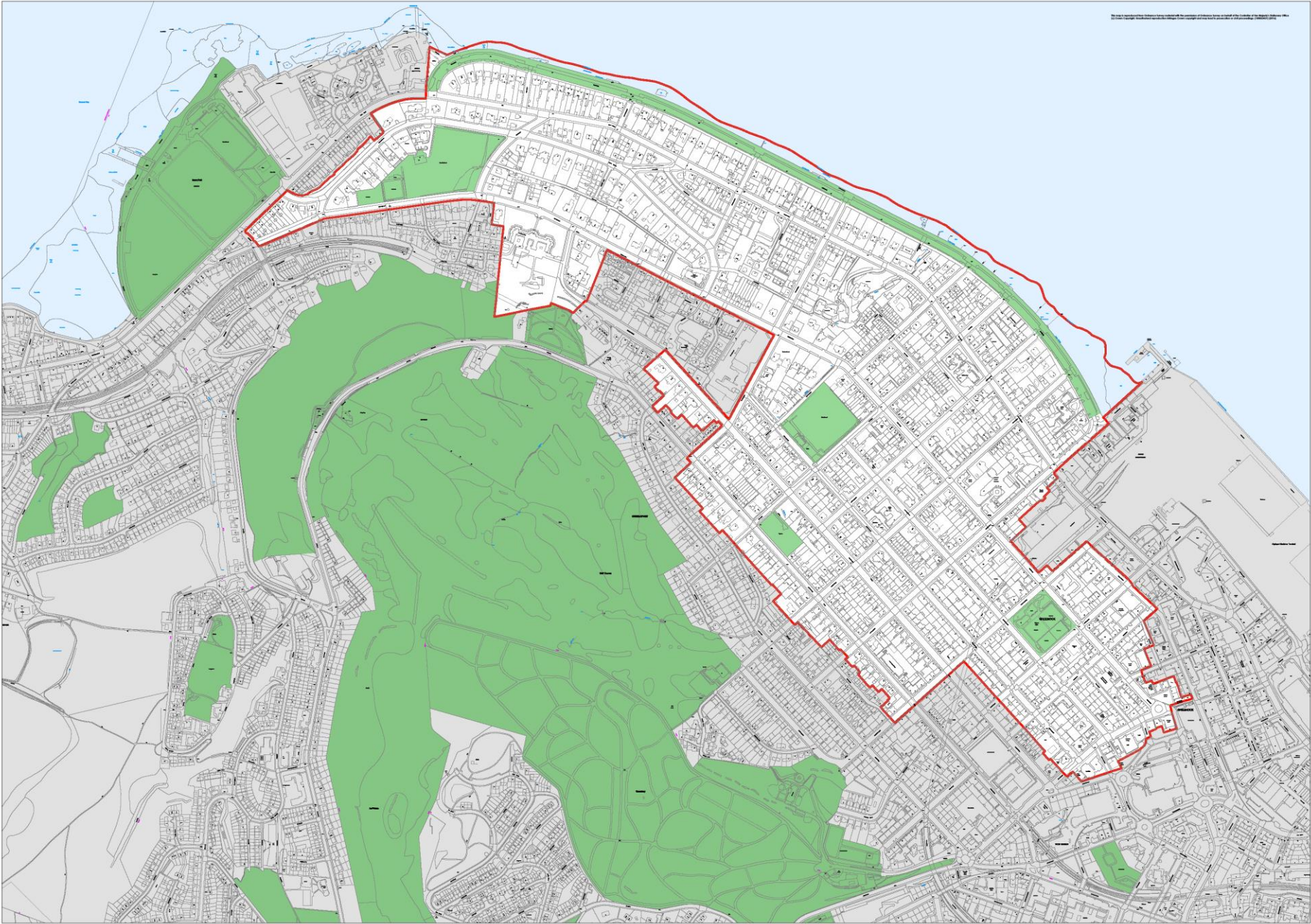




Figure 8 View from Finnart and Madeira Street across the roofscape of the conservation area and over the Clyde Estuary to Helensburgh



Figure 9 View on Brisbane Street to Westburn Church enclosed by 3-storey tenements



Figure 10 Cross Street view north on Margaret Street closed by the River Clyde



Figure 11 Sir Gabriel Wood's Mariners' Home

4.1.3 VIEWS, LANDMARKS AND APPROACHES

In an area which was predominately designed for residential use, the landmarks are frequently public buildings, especially churches and larger houses. There is a concentration of landmarks around George Square and extending from there on Nelson Street and Union Street, namely: Greenock Sheriff Court, former St George's North Church, Greenock West United Reformed Church, St John's Episcopal Church, Westburn Church and the Watt Library / McLean Museum and Art Gallery.

Churches played an important role in 19th century Scotland and the diversity and scale of worship has left its legacy in the number of surviving church buildings. Around George Square alone there were ten churches in the mid-19th century (1st Ed. OS Town Plan, 1857), before the construction of St George's and the Baptist Church which is close to the south and east sides of George Square today. Eight of these churches remain in the conservation area boundary although only four are in use as they were designed.

A further two churches notably punctuate the grid: the Lyle Kirk (Union St) just east of Campbell Street provides a marker on this long route and further west the red sandstone Lyle Kirk (Newark Street; former Finnart St Paul's) stands out on its corner site at Bentinck Street. On the Esplanade, the Old West Kirk occupies the corner site at the eastern end of the promenade.

The most significant landmark in the North West Area is the Sir Gabriel Wood's Mariners' Home set back in large grounds on Newark Road.

The grid form plan of the conservation area creates long vistas east – west especially on its broad principal streets. On Union Street looking west, the predominate low 2-storey scale of the early 19th century town houses is broken by the tall square tower and steeple of St John's Episcopal Church. In the distance trees which line the mid-section of Union Street /Newark Street after Campbell Street are visible. Other tree-lined streets also create a green enclosed view during much of the year.

Travelling east on Union Street and Brisbane Street the vistas are closed by the landmark church towers of St George's North Church and the Westburn Church respectively, each providing an important marker to indicate the town centre is approaching. A good example is the vista on Brisbane Street at Campbell Street where the tall 3-storey tenement blocks frame the façade and slender spire of the Westburn Church.

Passing cross streets, views are glimpsed downhill (north) to the Clyde and south to the rising ground and Lyle Hill beyond. Madeira and Johnston Streets provide good open views to the Clyde; others at the east end of the conservation area are closed by buildings.

On the Esplanade wide open views are available across the Firth of Clyde to Helensburgh on its northern shore and westward to the confluence with Gare Loch and Loch Long. The conservation area rises gradually uphill from the waterfront to the elevated sites on Octavia Terrace and Newark Street providing views across the roof scape of the suburb and beyond.

4.2 Buildings and townscape

4.2.1 TOWNSCAPE CHARACTER

The Greenock West End Conservation Area was largely constructed over the course of the 19th century and this has created a rich and diverse townscape character. The range of traditional building styles and periods reflect the town's historic development and includes some fine late Georgian town houses constructed in the early 19th century, mid and later 19th century tenements and terraces, and grand embellished Victorian civic buildings and churches. There are also a small number of early 20th century buildings.

Spatially, there is a strong linear theme generated by the broad thoroughfares east to

west. The height and density of development recedes toward the west and this creates variety in the townscape character despite the regular grid plan. Throughout there is a consistency of scale, with 2 and 3-storeys predominating. The denser urban core of the South East Area is defined by a stronger street enclosure due to its large civic buildings, 2-storey town houses and 3-storey tenements close to the street line. In contrast, the North West Area is lower in density and has a looser physical enclosure due to houses set back from the road. Here the street line is often maintained by boundary walls and hedging. In contrast the cross streets can be more intimate, narrower and tree-lined such as Forsyth Street.

The townscape of the **South East Area** reflects its earlier development. The earliest survivors are 2-storey 3-bay symmetrical town houses often with basement and attic. There are good examples on Union Street with those on the west corner of Kelly Street and Jamaica Street appearing on Wood's 1825 map. The Tontine Hotel, built in 1803, is a very fine example of the period addressing Ardgowan Square. These early 19th century buildings are refined and restrained in their classical detailing with polished ashlar facades. The simplicity and subdued architectural refinement of these buildings is interrupted by grander Victorian public and religious buildings which add architectural vibrancy and articulation of the skyline.

Beyond Nelson Street and Union Streets, much of the South East Area comprises 3-storey tenements constructed in the second half of the 19th century. Earlier tenements are plainer, without the later Victorian preference for projecting bay windows, and following 3, 5 and 7 bay patterns with large expressed stair entrances. Travelling west on Brisbane Street illustrates this architectural development very well.

The **Central Area** is more varied in architectural style and property type. The range of residential property in this area includes single storey cottages (Glen Street), small to medium sized detached and semi-detached houses, terraced houses and a small representation of tenements. The consistency of traditional property varies, with Finnart Street providing good examples of the principal building styles i.e. small early Victorian detached houses 3-bay and 2-storey, and more elaborate mid Victorian semi-detached houses with semi-circular entrances and projecting bow window bays. Brisbane and Ardgowan Streets are more mixed and Eldon Street has the largest percentage of later 20th /21st century development.

The **North West Area** was largely developed in the later decades of the 19th century. The property style is predominately detached and semi-detached villas set back from the street in garden grounds. Villas are positioned to take advantage of the rising ground and views across the Clyde Estuary. The principal streets, the Esplanade, Octavia Terrace, and the west end of Newark Street provide numerous examples of this property type. Houses on the Esplanade reflect the street's longer period of development with several houses from the first half of the 19th century. Houses become more elaborate in their architectural detail, and larger in size as the century progresses such as those at the west end of the Esplanade and on Octavia Terrace. There are later houses (infill or redevelopment of earlier sites) on both. South of Octavia Terrace on Newark Street a group of large mansions provide a fitting context for the Mariners' home and former Finnart St Paul's Church.

4.2.2 KEY LISTED AND UNLISTED BUILDINGS

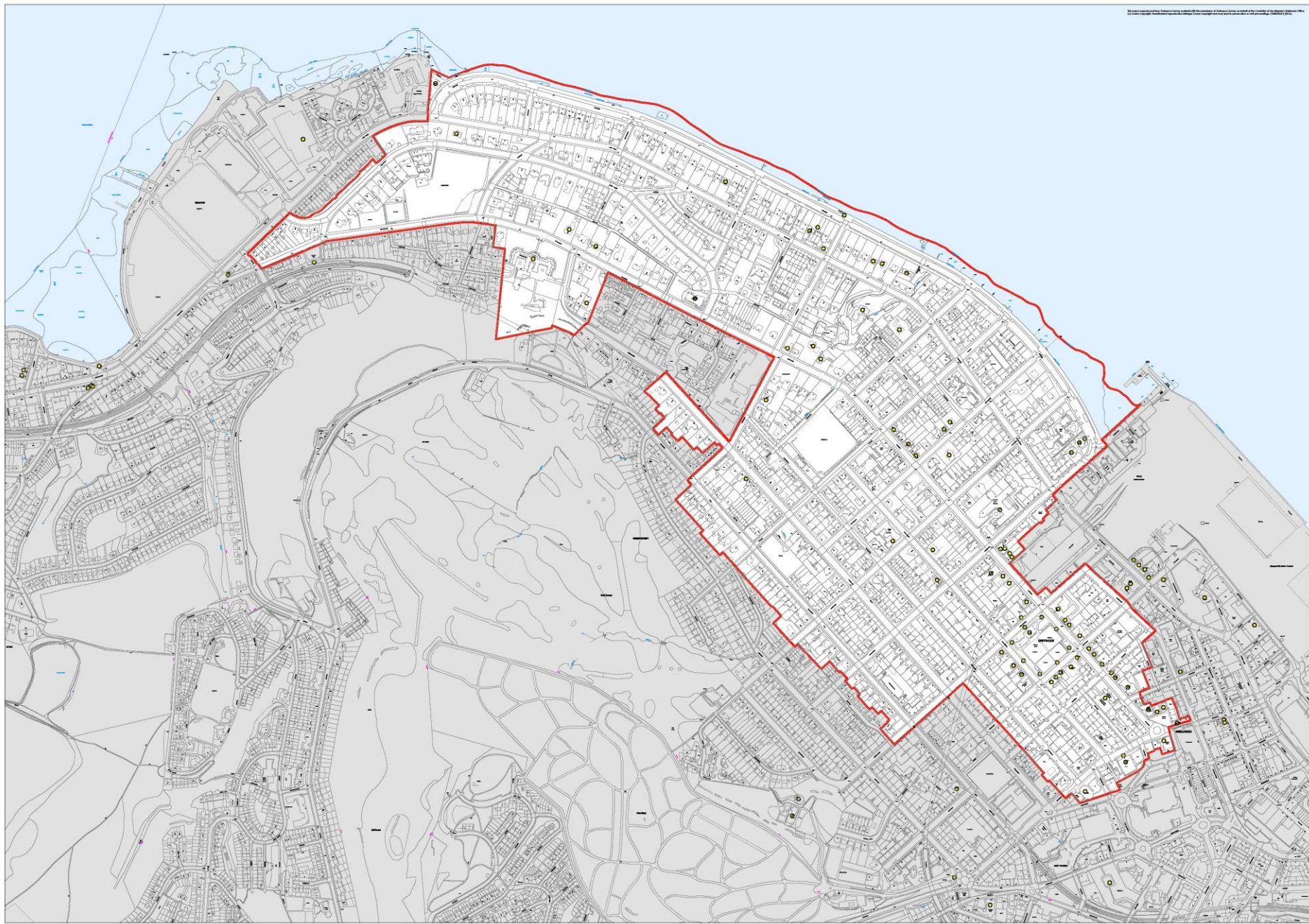
There are 109 listed buildings in total in Greenock (Appendix 1). Map 3 below shows listed and unlisted buildings in the Greenock West End Conservation Area. Each list entry may cover more than one building. Several buildings are also listed for their group value.

The conservation area contains a significant proportion of unlisted buildings that make a positive contribution to the character or appearance of the conservation area. Such buildings are generally historic buildings where their style, detailing and building materials contribute to the character and appearance of the conservation area. This principally includes: late Georgian/ early Victorian town houses; mid and late 19th century tenements and terraced houses; and later Victorian and Edwardian villas.

Map 3 Listed and unlisted buildings

Source: Inverclyde Council

15



Key buildings and building groups



Former St George's North Church, George Square

Category B

A refined Renaissance style church built in buff sandstone ashlar dominated by its tall stone steeple with open crown. Designed by Salmon Son & Ritchie in 1870 for United Free Church. Not in use as a place of worship since at least 2009, it is understood to have been disused since that time but currently under repair (BARR, 2016, Restoration in Progress).



Greenock West United Reformed Church, George Square

Category B

Tudor Gothic in style with a well detailed ashlar façade which addresses the square opposite St George's. Designed by John Baird I in 1839-40. Formerly the George Square Congregational Church until union with the Nelson Street Congregational Church.



St John the Evangelist Episcopal Church, Union Street

Category B

St John's was built for the Episcopal faith, replacing their earlier church on this site, and still in use as such. Designed by Paley & Austin, Lancaster 1877 in Gothic style using coursed snecked buff sandstone. The south-east tower, with a very finely slated pyramid roof, marks the corner of Union Street and Jamaica Street.



Greenock Sheriff Court

Category B

A significant example of civic architecture and important early example a public building in Scots Baronial style. Designed by Peddie & Kinnear 1867-69 and built in buff sandstone ashlar. The Court has a distinctive central 4-stage tower with pyramidal roof, bartizans and open spire and elaborate roofline with crow-stepped gables and pinnacle dormers. It forms a focal point on Nelson Street.



Tenements

Unlisted

Tenements are a significant building type in the conservation area especially in its eastern section. Examples range from the early Victorian blocks on and around Brisbane Street without projecting bays and distinguished by their tall expressed stair entrances; to the stand alone blocks some of which have flamboyant details such as the red sandstone block which extends between Margaret and Fox Streets on the Esplanade, which distinguishing tall corner bays capped with cast iron crown finials.



Westburn Church, Nelson Street

Category A

A simple classical style church built in 1840-1 for the Church of Scotland by architect D Cousin (formerly The Old Kirk; St Luke's). The central 5-stage steeple, which includes clock faces, was added in 1854 and vies for attention with that of the neighboring St George's.



Nos 12-22 Union Street

Category C

Good examples (although some with incremental change) of the 2-storey 3 bay and basement symmetrical town house model used for the earlier development of Reid's Plan. All with expressed entrances such as the Ionic portico on No.12, some built before 1825.



Tontine Hotel Category A and **153 /155 Finnart Street** Category B

Two examples of early mansions. The Tontine Hotel was built in 1803, a grand 3-storey, basement and attic mansion with 5-bay 'palace' frontage in fine ashlar and single storey wings. No. 153/5 Finnart Street predates Wood's Plan (1825) and appears as 'Glen' on McFarlane. Whilst more modest in size it exhibits the key features of central pediment and side wings (now painted).



Lyle Kirk, Newark St

Category A

This finely detailed church in Late Gothic style was built in 1893 and formerly known as Finnart St Paul's. Designed by Sir R Rowand Anderson, it does not have a tower, however it stands out on the corner of Bentinck Street due to its contrasting construction in red sandstone squared rubble.



Birnam, Nos. 88 and 90 Newark Street

Category B

A more unusual villa designed by T.L. Watson in Early Renaissance style with an ogee-domed octagonal tower. One of several large villas in this section of Newark Street opposite the Mariners' home.



Sir Gabriel Wood's Mariners' Home, Newark Street

Category A

Gabriel Wood (1767-1845) bequeathed funds that a Mariners' Home be established for the reception of fifty Merchant Master Mariners and Seamen. The seven acre site was chosen on the outskirts of the town and Exeter architect Robert MacIntosh designed this extensive 2-storey Tudor style frontage with central tower. Set back with manicured lawns and an imposing gateway on Newark Street this is still in use as a care home.



Finnart Street

Unlisted

Finnart Street provides good examples of the more elaborate mid to late Victorian semi-detached houses with semi-circular entrances and projecting bow window bays. Similar examples can be found in the conservation area including Brisbane Street.



Esplanade Houses

Unlisted

Later Victorian houses at the west end of the Esplanade display typical architectural features of the period such as projecting canted and bow bay windows and expressed eaves with timber detailing. The fenestration is generous taking advantage of the open Clyde views and easier availability of plate glass.



Lyle Kirk, Esplanade /Campbell Street Category B

The current church, dating from 1926 and attributed to James Miller architect, incorporates components from a much longer history. The previous church completed in 1864 to designs of James Salmon, was on a site close by, and purchased by Harland and Wolff who in turn provided this new site. The church is said to have been moved 'stone by stone' and followed the previous church plan with a new steeple. The single storey, steeply-pitched church hall (1925) was built by Harland and Wolff to provide a temporary place to worship while the new church was built.



Figure 12 Buff sandstone

4.2.3 MATERIALS AND LOCAL DETAILS

Throughout the conservation area the traditional buildings use a coherent palette of building materials and techniques, including sandstone masonry, Scots slate roofs and timber windows and doors, the detailing on each dependant on the period of the building. In general buildings in the conservation area take three forms: 1) architecturally refined late Georgian and Regency; 2) plain / transitional mid-Victorian; and 3) more elaborately detailed late-Victorian work. The development of architectural styles, building techniques and availability of materials are all reflected in their construction and design.



Figure 13 Turret with fishscale pattering and finial

Masonry walls most clearly illustrate the period of building. The late Georgian buildings have dressed ashlar, often restricted to the façade with raised stone margins and quoins to add refinement. The Victorian period favoured dressed stonework in a variety of finishes such as coursed snecked or squared rubblework. There is a predominance of buff sandstones (possibly of local origin), but there are also red sandstones, commonly used for later tenement blocks. There are also one-off buildings for example the Former Eye Infirmary (1893; now Ardgowan Hospice) on Nelson Street with attractive red brickwork and red sandstone detail in Arts and Crafts style, but these are exceptions.

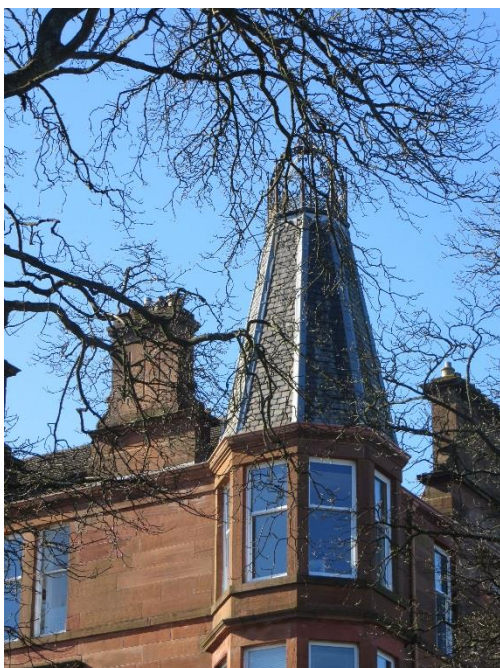


Figure 14 Crown finials

Roofs are predominately pitched, commonly double pitched with gable end chimney stacks or piended (hipped) roofs on later Victorian buildings. There are several striking turrets often with detailed slate work including fishscale pattering. Examples include both grand public buildings (Greenock Sheriff Court) and Victorian houses (No. 43 Brougham Street).

Properties without piended roofs have skews, all flat skews exception where crowsteps have been used for architectural effect. Later Victorian houses have projecting timber eaves with gable bargeboards and embellishment at the roofline with cast iron finials, weathervanes and decorative ridges. There are notable examples such as the crown finials which terminate the octagonal corner bays of the imposing red sandstone tenement of the Esplanade.

Roof finishes are generally continuous without original



Figure 15 Canted dormers

rooflights or dormers. There are exceptions including the single storey and attic houses on Finnart Street with original gable fronted dormers with decorative timber bargeboards. However, there are examples of traditional dormers often canted which are likely to be additions to earlier properties.

Chimney stacks were an essential part of traditional properties and remain an important functional and aesthetic feature. There is considerable variety in the conservation area ranging from short plain stacks to tall expressive stacks, an important feature of the roofscape and skyline.

Windows are generally timber sash and case and vertically proportioned. Windows are now commonly painted white, but there are also frequent examples of a tradition to paint windows black with contrasting white painted putty. There are various glazing patterns found within the conservation area, again reflective of the building period, with six over six panes for the earliest buildings, later two over two, or one over one. There are examples of distinctive curved windows, for example on the bow corner bay on No 43, Brougham Street. Timber doors are generally panelled and painted in a variety of colours, often with a rectangular lay light above the door.



Figure 16 Timber windows, and door with rectangular lay light

Door surrounds are a particular feature on properties from all periods ranging from early examples with simple pilastered door pieces to more substantial columned porticos in a variety of Classical designs on larger villas. A strong feature of the earlier tenements on and around Brisbane Street are tall elongated stair entrances with stone pilasters and cornices above. Unfortunately very few retain their original timber panelled doors and large rectangular lights above, but there is a good surviving example at No.15 Robertson Street. Other later tenements have glazed ceramic tiles to their closes for example on Campbell and Brougham Streets.



Figure 17 Glazed ceramic tiles

There appears to have been little commercial activity in the conservation area however there are a small number of traditional shopfronts for example a short row on Union Street /Kelly Street corner and Kelly Street/Brisbane Street with some surviving traditional detailing and fabric including slim windows mullions and cornicing.



Figure 18 George Square hard landscaping



Figure 19 Cast iron canopy



Figure 20 John Galt Memorial Fountain and staircase

4.2.4 PUBLIC REALM

Road and pavement surfaces are generally tarmac, with several areas of more recent brick paviours. Whin kerbs are generally used alongside these modern finishes. Whilst tarmac surfaces are unobtrusive, they do not enhance the conservation area, and brick paviours can detract from the adjacent traditional buildings and structures. The hard landscaping and traffic management of the small open space in George Square has been recently renewed in modern materials with some planting alongside existing ornamental flowering trees. The modern finishes do not contribute to this historic setting and the significant buildings which enclose the square. Areas of original road setts can still be found, commonly at driveways and there is also a surviving section of pavement setts on Bentinck Street.

Throughout the conservation area, including key public spaces such as the Esplanade, the street furniture comprises the usual litter bins, benches, street lamps and bus shelters of standard off-the-peg designs. There are also frequent runs of galvanized metal pedestrian roadside railings. These standard modern designs do not enhance the conservation area or the setting of the adjacent traditional buildings.

More positively, boundary walls from the Georgian and Victorian periods make an important contribution in all character areas. This includes both public, religious and private residential properties. In general public buildings and churches have low sandstone boundary walls and cast iron railings; the Watt Library has a more robust sandstone balustrade on a low rough faced rubble wall which encloses its grounds on Union /Kelly and Watt Streets. Further along Union Street, the Ardgowan Club grounds are enclosed by tall decorative cast iron railings and stone gate piers. In the South East and Central Character Areas properties are commonly raised above the street level over basements. Their light-wells are enclosed in traditional cast iron railings and handrails to the stone slab entrance staircases. Good examples can be found on both the individual town houses and tenements along Union and Brisbane Streets. On the latter there are two very good examples of decorative cast ironwork: Nos 42-48 with highly decorative Grecian style enclosures, and Nos 27-32 with decorative railings and staircase handrails.



Figure 21 Low walls with hedges



Figure 22 Buoy on the promenade



Figure 23 Painted stone walls



Figure 24 Cement-based repairs

Cast iron work appears to have been used less in the North West Area where earlier properties have higher stone boundary walls for enclosure evident along the Esplanade and on Eldon Street. In the later villas for example on Octavia Terrace, low stone walls and hedging are more frequent.

There appear to be few public monuments from the Victorian era in the conservation area. There are three items of interest on the Esplanade: a small cast iron fountain / canopy in the grounds of a property close to the Old West Kirk; the prominent John Galt Memorial Fountain and staircase which leads up to Roseneath Street; and a large buoy placed on the promenade.

4.2.5 CONDITION

The vast majority of the buildings within the conservation area are traditionally constructed and remain robust and functional. On observation from the street level, their general condition appears to be fair, however stonework on some properties showed signs of water ingress particularly at high level which may be an indication of repair and maintenance issues.

One of the greatest threats to any heritage site is the loss of primary fabric through lack of maintenance or inappropriate repair and replacement, reducing the authenticity of the site. A common significant threat is the use of inappropriate modern materials and details, such as replacement windows, doors and shopfronts, and impervious cement mortars, renders and paints.

Several buildings had minor stone decay and spalling particularly around entrances and at low level were affected by water erosion. Several buildings and boundary walls appear to have inappropriate cement based repairs. A small number of buildings appear to have cement based render and /or modern film forming paints applied to their masonry walls or the features such as entrance porticos. Attention should be drawn to the risk associated with impermeable materials and finishes and opportunities taken to repair in traditional materials



Figure 25 Windows replaced in uPVC

when they arise. Painting of stone walls should be discouraged on both technical and aesthetic grounds.

A significant number of original windows and doors have been replaced particularly on the tenement properties. Replacements in uPVC and/or non-traditional fenestration patterns and opening methods can have a negative effect on both the character and quality of individual buildings and a cumulative impact on the character of the conservation area as a whole. Similarly, whilst few in number, traditional shopfronts are an essential part of the townscape, and low quality and inconsistency of design and materials can visually detract.

There is only one entry within the conservation area on the Buildings at Risk Register, compiled by Historic Environment Scotland. This is the former St George's North Church, however the property has been moved to 'Restoration in Progress' status in March 2016.

4.3 Character Areas

An analysis of the Greenock West End Conservation Area indicated that it can be divided into three character areas, roughly according to historical development; street pattern and layout; built form; and uses and activities.

These are:

1. South East Area
2. Central Area
3. North West Area

Buildings and Townscape character and appearance of each area has been described in Section 4.2. A brief definition and summary is given below.

4.3.1 SOUTH EAST CHARACTER AREA

Boundaries: Eastern section of the conservation area from George Square /Nelson Street to Brisbane Street (south), Houston Street (north), and as far west as Robertson Street.

Activity: Mixed; residential, public, religious, professional office, limited retail.

Date / style: late Georgian – early Victorian

Pattern: regular grid plan with relatively higher density / smaller plot size; buildings close to the street line.

Building types: 2-storey and basement town houses; 3-storey tenements

Later development: c. 15%

4.3.2 CENTRAL CHARACTER AREA

Boundaries: Adjoining the South East Area in the east at Robertson Street; occupying the full extent of the conservation area between Finnart Street (south) and the Esplanade (north), and as far west as Octavia Terrace and Eldon Place.

Activity: Largely residential, some religious, limited retail.

Date / style: early, mid and late Victorian

Pattern: generally following regular grid plan with relatively higher density / smaller plot size; western section less formal with larger plot size. Buildings close to the street line.

Building types: 1 ½ storey cottages, 2-storey detached and semi-detached houses, some short terraces, some 3-storey tenements

Later development: c. 20%

4.3.3 NORTH WEST CHARACTER AREA

Boundaries: Adjoining the Central Area in the east at Octavia Terrace and Eldon Place before extending the full length of the Esplanade as far as Fox Street. Extending west to include the remainder of the conservation area.

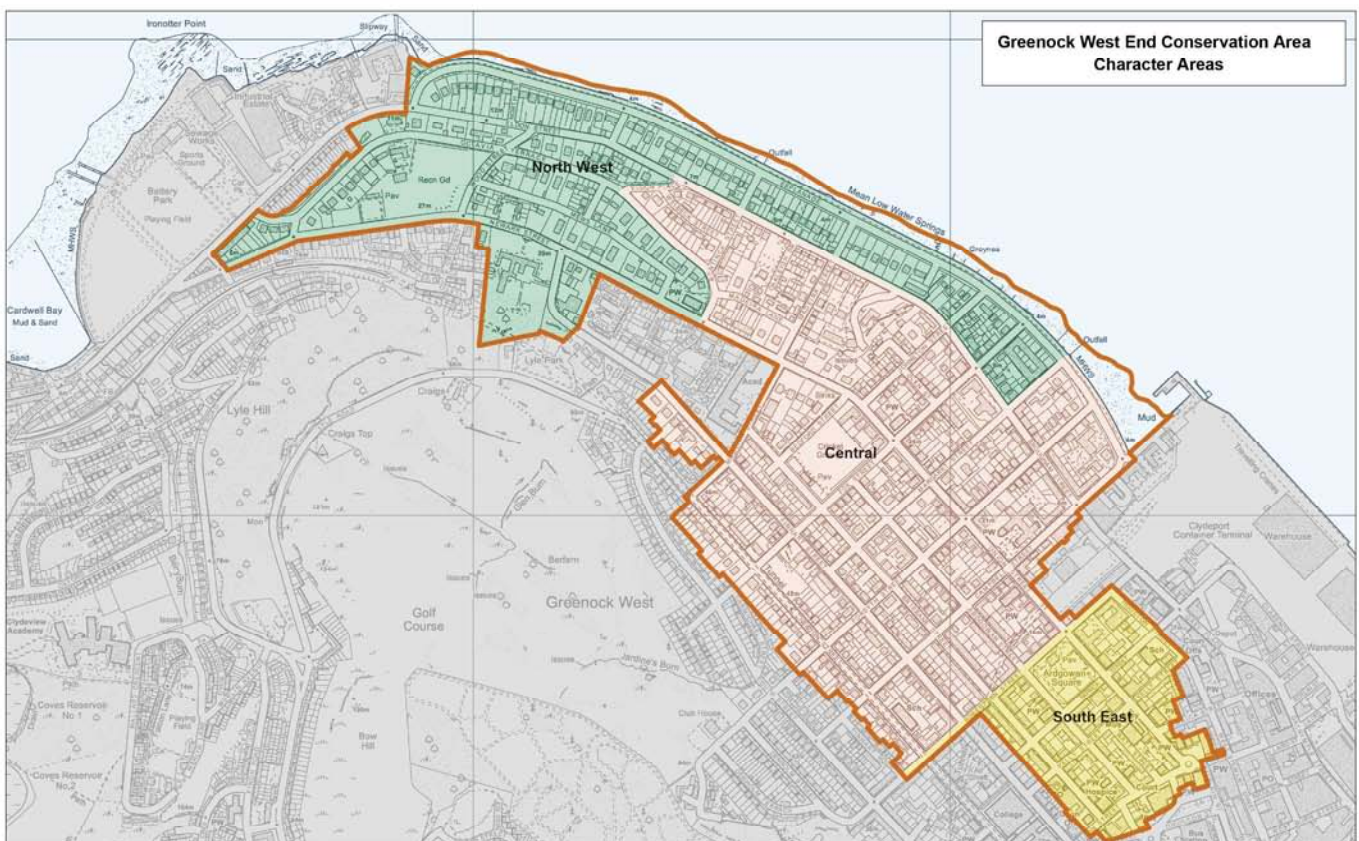
Activity: Predominately residential.

Date / style: early, mid and late Victorian

Pattern: less formal with larger plots set out along main broad thoroughfares; relatively low density; buildings set back from the street in garden grounds.

Building types: 2-storey detached and semi-detached houses

Later development: c. 10%



5 KEY FEATURES / ASSESSMENT OF SIGNIFICANCE

Having carried out an assessment of the buildings and areas it is now possible to identify the key features that define the special architectural and historic character of the area. These are:

- A significant portion of Greenock's suburban expansion westwards in the 19th century, as a result of the town's flourishing industry and trade.
- An attractive waterfront setting on the Clyde Estuary.
- A residential area excepting the civic and religious buildings chiefly concentrated on George Square, Nelson Street and Union Street.
- Three Character Areas broadly reflective of the area's development: South East; Central and North West.
- Long broad thoroughfares and cross streets set out on a formal grid plan, this street pattern evident in much of the South East and Central character areas.
- Four principal building types:
 - Late Georgian town houses often 2-storey and basement symmetrical 3 bay form raised above the street with light wells and railings.
 - Early and Mid-Victorian modest detached, semi-detached and terraced houses set in small garden plots, often close to the street line with low boundary walls and hedging.
 - Traditional 3-storey tenements.
 - Late Victorian 2-storey detached and semi-detached houses on larger plots set back from the street in garden grounds.
- A coherent palette of building materials and techniques including buff and some red sandstones, Scots slate roofs, and

traditional timber sash and case windows and panelled doors.

- Traditional boundary treatments with considerable architectural detail including boundary walls, stone gate piers, stone entrance stairs and decorative cast iron railings
- An important contribution made by tree lined streets and private gardens.

6 CONSERVATION ISSUES

A number of conservation issues have been identified which have the potential to have a detrimental impact on the conservation area. These are listed below. These form the basis for the Sensitivity Analysis and the Opportunities for Enhancement.

- The replacement of traditional materials and details has led to a loss of historic fabric and a negative impact on the character of the conservation area.
- The conservation area contains one entry on the Buildings at Risk Register for Scotland and other building maintenance issues have been identified during the appraisal process.
- Modern development in the area is not always sympathetic to the traditional materials and styles of the historic buildings.
- Subdivision and adaptation of traditional houses is not always sympathetic to the traditional materials and styles of the historic buildings.
- The public realm is utilitarian in character and in some places detracts from the high quality built environment.
- Poor quality boundary treatments, or loss of physical boundaries, which can have a negative impact on the character of the conservation area.

7 SENSITIVITY ANALYSIS

7.1 Loss of original architectural details and building materials

Although the majority of the buildings in the conservation area appear to be in fair physical condition the area as a whole is at risk from small changes which can cumulatively dilute the special character of the area. Examples which have adversely affected some of the buildings in the conservation area include the replacement of original timber windows or doors with materials such as uPVC or unsympathetic designs or methods of opening; the replacement of natural roof slates; removal, inappropriate repair or poor modern equivalents of boundary treatments; painting of masonry. These changes in detailing and the loss of original features affect both the external appearance of individual buildings and the local streetscape. It is important that future changes are managed, ensuring that appropriate materials and designs are used, in order to protect and enhance the character of the conservation area.

7.2 Buildings at Risk, repair and maintenance

There is only one entry within the conservation area on the Buildings at Risk Register, the former St George's North Church. This property has been moved to 'Restoration in Progress' status in March 2016. Progress on the building's appropriate repair and re use should be monitored particularly considering the townscape value of this former church. Updates should be provided to Historic Environment Scotland for any changes to the Register entry.

Notwithstanding Buildings at Risk in the conservation area, there are properties and boundary walls in need of repair and

maintenance. This is important to prevent the loss of original fabric and details and to ensure buildings are energy efficient and safe.

7.3 Quality of new development, alterations and extensions

There is new development in the conservation area, the majority of which is fairly recent. Sensitive development maintaining the scale and density of the character area can be accommodated reasonably well. This is better concentrated on brownfield sites. A high proportion of the villas have retained their grounds and maintain the character of the area.

A number of houses have seen adaptation and subdivision creating extensions to create access to upper floors. Insertion of dormers is also fairly common and also not always sympathetic to the original design intent or scale of the property.

7.4 Quality of public realm

The utilitarian character of some parts of the public realm does not reflect the character and significance of the conservation area. It is vital to ensure that public works and traffic management measures do not detract from the otherwise high quality historic environment. Where traditional and original finishes and architectural detail such as wall and railings survive these should be appropriately maintained and repaired.

7.5 Protection of trees, hedges and traditional boundaries

Trees make an important contribution to the townscape, particularly on tree-lined streets, and enhance the setting of historic buildings; they should be properly managed and protected. There are no Tree Preservation



Orders in the conservation area and therefore trees should be protected through the additional powers which conservation area designation brings.

Hedges, railings, gates, gate piers and boundary walls also make a major contribution and similarly need to be retained. There are a few instances of poorly maintained /lost boundaries and the use of inappropriate or poor quality materials for walls or gates, which detracts from the character of the conservation area.



Private gardens similarly make an important contribution and replacement in hard surfaces should be discouraged where possible.



Figure 26 Examples of extensions and dormer windows

8 OPPORTUNITIES FOR PRESERVATION AND ENHANCEMENT

8.1 The control of unlisted buildings

The conservation area has a number of individual or groups of buildings which retain original architectural detailing and which add interest and vitality to the appearance of the conservation area.

8.1.1 DEMOLITION

There is a general presumption in favour of the retention of all buildings in the conservation area. (LDP Policy HER2) Any application for the demolition of a building will therefore need to be accompanied by a reasoned justification as to why it should not be retained, similar to that required for a listed building. Where the building is considered to make a positive contribution to the character of the conservation area, and is still deemed capable of repair, the owner must also have made positive efforts to market the building, or to find a suitable new use, before an application may be approved.

8.1.2 ALTERATIONS

The Council will consider applications for external alterations to unlisted buildings extremely carefully and will refuse any which adversely impact upon the conservation area (LDP Policy HER1).

8.2 Quality of new developments, building alterations and extensions

In assessing planning applications within the Greenock West End Conservation Area or which might impact on its setting, the Council shall consider them in relation to the relevant Local Development Plan policies and Supplementary Guidance Planning

Application Advice Notes (PAANs) and pay particular attention to the following:

- New development, building alterations and extensions should be in accord with the prevailing form of historic development, including the scale, massing and historic layout of buildings using traditional and/or compatible materials.
- New development, building alterations and extensions should respect the setting of existing buildings.
- There will be a presumption against development within the original plots in the conservation area and new development should follow existing plot ratios.
- New development should protect significant views within the public realm.
- Original or historic features should be retained wherever possible.
- New development, building alterations and extensions should use materials which are high quality, durable and which complement the palette of materials traditionally found in the conservation area.
- Where stonework is not currently painted or covered, a coating should not be applied.
- Colours should be muted and in keeping with the rest of the conservation area.
- New development should protect important trees, hedges, boundary walls and other established boundaries. (Trees and private gardens are an important townscape asset and the Council will encourage their maintenance and management).
- Hard landscaping, roads and pavements should be maintained and where repair or resurfacing is required,

careful consideration should be made to the choice of materials respecting the original character of surfaces. Soft landscaping should be retained.

- New boundary treatments should use traditional and/or compatible materials and be of appropriate design to suit the locality.
- Historic photographs may be consulted to inform the design of new development, building alterations and extensions.

Where necessary, the Council will require applications for new development which may have an impact on the Conservation Area to be accompanied by a Design Statement explaining and illustrating the principles and concept behind the design and layout of the proposed development and demonstrating how the proposal relates both to the site and its wider context. Applicants can use this Character Appraisal to assist them in this.

Further reading:

Inverclyde Council Local Development Plan Supplementary Guidance on Planning Application Advice Notes (PAANs):

- No.1 Backland and Tandem Residential Development
- No.2 Single Plot Residential Development
- No.9 Replacing Windows in Conservation Areas and Listed Buildings
- No.10 Signage and Advertisements
- No.11 Shopfront Design

(Appendix 2)

- [New Design in Historic Settings \(Historic Scotland, Scottish Government and Architecture + Design Scotland\)](#)

8.3 Buildings at Risk

Historic Environment Scotland maintains a Register of buildings that are at risk from deterioration due to neglect, vacancy or threat of demolition (the Buildings at Risk Register for Scotland). This is updated as necessary and the Council has powers to protect all listed buildings and also, in certain instances, unlisted buildings in a conservation area, where they make a positive contribution to the area's special character.

Where the condition of an historic building deteriorates to a point where it is considered vulnerable and detrimental to the character of the area then Inverclyde Council in conjunction with the Scottish Ministers will consider appropriate action to enable its return to a reasonable state of repair. The Council will encourage the reuse of existing vacant buildings over new build construction where possible.

Further reading:

- [The Buildings at Risk Register for Scotland](#)

8.4 Building maintenance and repair

It is important that historic buildings are adequately maintained and repaired using traditional materials and techniques and property owners are encouraged to get specialist professional advice. The council will encourage owners of historic buildings to use traditional materials and repair techniques through advice and publications.

8.5 Public realm enhancement

Any new public realm design should be considered in conjunction with surrounding areas, which provides the opportunity to

emphasise and coordinate the public realm across a broader area.

8.6 Trees and landscape

Inverclyde Council will continue to enforce the relevant policies to ensure that the very special qualities of the Greenock West End Conservation Area are protected from unsympathetic change. New development should protect important views, trees, hedges, boundary walls, gates, and other established landscape features.

Further reading:

- [Designing Streets \(Scottish Government\)](#)
- [Inform guide - Domestic Boundary Walls \(Historic Environment Scotland\)](#)
- [Managing Change in the Historic Environment - Boundaries \(Historic Environment Scotland\)](#)
- [Managing Change in the Historic Environment - Setting \(Historic Environment Scotland\)](#)

8.7 Article 4 Direction and planning controls

The Town and Country Planning (General Permitted Development) (Scotland) Order

1992 (known as the GPDO) sets out certain types of development that do not require planning permission, known as permitted development rights. In line with guidance, it has been common practice among planning authorities to extend control within Conservation Areas by way of an Article 4 Direction. Essentially, this requires planning permission to be sought for certain specified types of development where this would not normally be required.

The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 Householder Permitted Development Rights changed the permitted development rights for homeowners, and in conservation areas. These changes came into force in February 2012 and further restricted permitted development rights for dwelling houses and flats in conservation areas (Appendix 3).

It is therefore considered that the existing Direction in relation to Class 1 (Development within the curtilage of a dwellinghouse) is no longer required and could be cancelled. The other classes (2, 12 and 16) will remain.

Inverclyde Council will monitor unauthorised changes in the conservation area and will use its statutory powers of enforcement where necessary.

9 MONITORING AND REVIEW

This document should be reviewed every 5 years from the date of its formal adoption by Inverclyde Council. It will be assessed in the light of the Inverclyde Local Development Plan and government policy and guidance on the historic environment. A review should include the following:

- A survey of the conservation area including a photographic survey to aid possible enforcement action
- An assessment of whether the various recommendations detailed in this document have been acted upon, and how successful this has been, particularly in relation to:
 - Protection of unlisted 'positive' buildings
 - Quality of new developments and building alterations re: Section 9.2
 - Buildings at Risk
 - Tree works
 - Protection of views
- The identification of any new issues which need to be addressed, requiring further actions or enhancements
- The production of a short report detailing the findings of the survey and any necessary action
- Publicity and advertising

It is possible that this review could be carried out by the local community under the guidance of a heritage consultant or the council. This would enable the local community to become more involved with the process and would raise public consciousness of the issues, including the problems associated with enforcement. Work towards the review will be taken throughout the period leading up to the formal review.

10 FURTHER INFORMATION AND LINKS

Scottish Historic Environment Policy (SHEP)
www.historic-scotland.gov.uk/shep

Historic Environment Scotland's Managing Change
Guidance Note series
www.historic-scotland.gov.uk/managingchange

Historic Environment Scotland - Advice for Owners of Listed Buildings
www.historic-scotland.gov.uk/index/heritage/historicandlistedbuildings.htm

Historic Environment Scotland's INFORM Guides
www.historic-scotland.gov.uk/index/learning/freepublications.htm

Historic Environment Scotland's Knowledge Base website
<http://conservation.historic-scotland.gov.uk/home/resourcecentre.htm>

Historic Scotland - Grants
www.historic-scotland.gov.uk/grants

Funds for Historic Buildings
www.ffhb.org.uk

Scottish Civic Trust
www.scottishcivictrust.org.uk

Heritage Lottery Fund
www.hlf.org.uk

Buildings at Risk Register
www.buildingsatrisk.org.uk

SOURCES

Scottish Civic Trust, *Greenock West End Outstanding Conservation Area Appraisal and Boundary Review* (2006).

Walker, Frank Arneil. *The South Clyde Estuary: An Illustrated Architectural Guide to Inverclyde and Renfrew* (Edinburgh: Scottish Academic Press for RIAS, 1986).

Clark, B. and Brown, G. *Greenock and Gourock Through Time* (Stroud: Amberley Publishing, 2013).

National Library of Scotland Map images website [maps.nls.uk] Accessed March 2016. All historic maps © NLS unless otherwise stated.

LIST OF MAPS

Map 1: Conservation area

Map 2: Open space

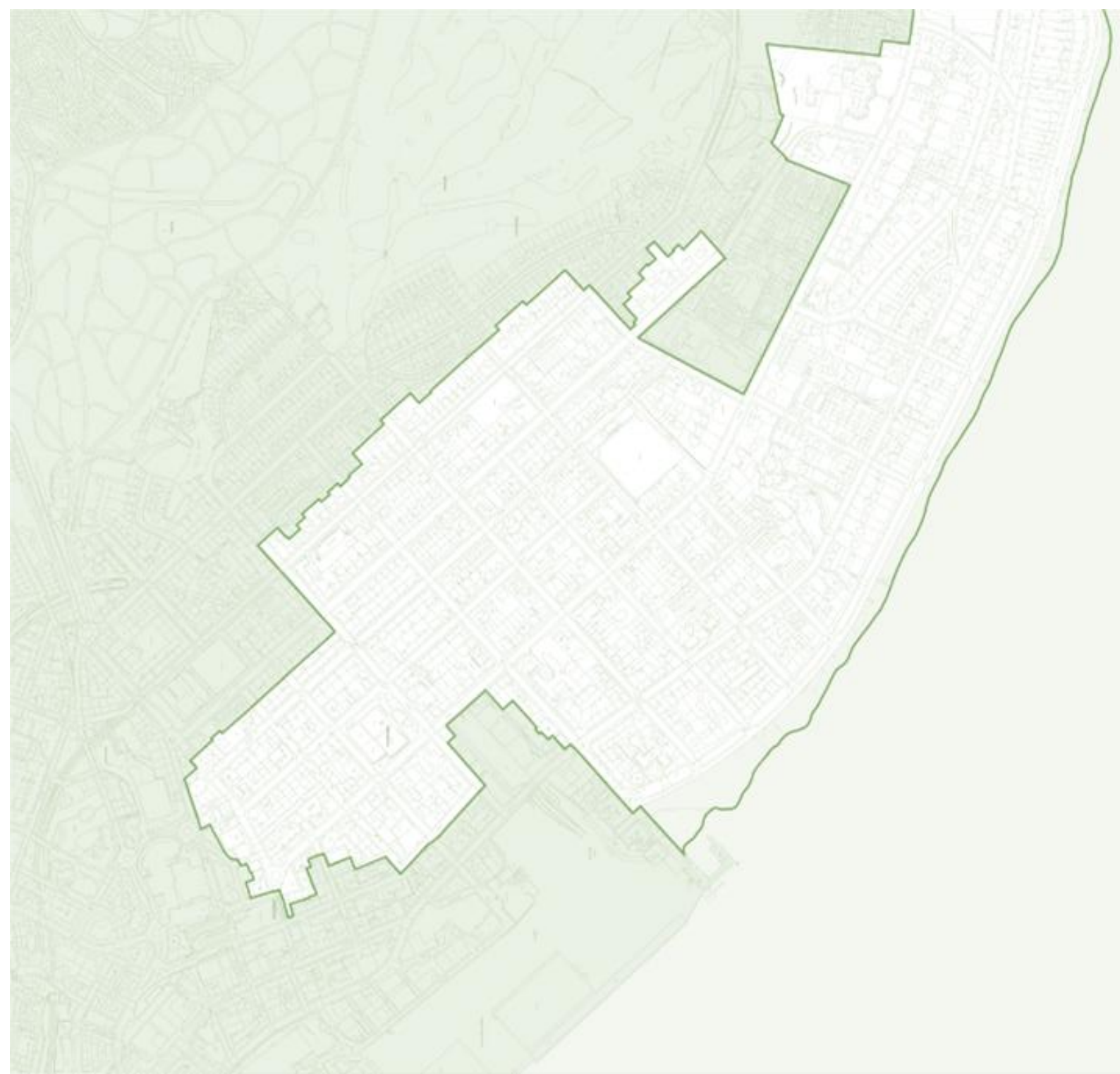
Map 3: Listed and unlisted buildings

LIST OF APPENDICES

Appendix 1: List of Listed Buildings in the conservation area

Appendix 2: Inverclyde Council Local Development Plan Supplementary Guidance on Planning Application Advice Notes

Appendix 3: The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 Householder Permitted Development Rights



The Scottish Civic Trust
The Tobacco Merchant's House
42 Miller Street
Glasgow G1 1DT

T: 0141 221 1466

E: sct@scottishcivictrust.org.uk

W: www.scottishcivictrust.org.uk

12. REPRESENTATIONS IN RELATION TO PLANNING APPLICATION

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mr Gordon Logan

Address: 114, Newark Street Newark Street Greenock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As previous comments

Access for emergency vehicles, refuse collection plus deliveries are along this lane. Illustrated in the building plan, cars will park externally to the proposed property, which will severely hamper access/egress. From conception accessing the rear of 110-118 Newark Street will be severely impacted - which is our main car/delivery access- since the front of these properties are without easy access. The impact in general will be a negative to all those buildings with access/egress routes provided by Mews Lane.

Laura Graham

From: dmplanning
Sent: 15 September 2022 08:47
To: Laura Graham
Subject: FW: (Official) Planning Application 22/0203/IC - OBJECTION

Classification: Official

Kind regards,
Carrie Main

Planning Officer
Regeneration and Planning
[Inverclyde Council](#)
Municipal Buildings
Clyde Square
Greenock
Inverclyde
PA15 1LY

Please note my working pattern is Tuesday-Friday

Tel: 01475 712413
E-mail: dmplanning@inverclyde.gov.uk

Inverclyde Council website – www.inverclyde.gov.uk
Inverclyde on Twitter – twitter.com/inverclyde

From: [REDACTED]
Sent: 14 September 2022 21:58
To: dmplanning <dmplanning@inverclyde.gov.uk>
Subject: Planning Application 22/0203/IC - OBJECTION

8 Westfield Drive
Greenock
PA16 7SX
14 September 2022

Dear Sir/Madam,

I am writing to formally "object" to planning application 20/0203/IC.

New Build, 2 bed-room, one story detached house fronting Mews Lane.

Reasons for Objection are as follows:

1. The development is in contravention of Historic Environment Scotland's Policy on backland developments. The Scottish Government require the historic environment to be cared for, protected and

enhanced. Developments which do not respect the scale, design and size of existing buildings will not generally be supported. This development does not respect the scale and size of existing out-buildings and gardens. Drawing number 1729/AL(0)07 PR SITE PLAN (B) clearly demonstrates that the three new buildings which form the new property have a combined floorplan area as large as the existing sub-divided villa which exists on the site and the proposed garden space is vastly out of proportion with gardens of adjacent properties.

2. Reasons for previous planning refusal have not been addressed by this re-submission. One reason given for refusal of the original application was the fact that the planning committee wished to preserve the historical nature of the fact that Mews Lane was originally a service lane. The architectural design statement provided with the application attempts to garner support by including photographs of some other buildings in Mews Lane. These buildings are not new builds but are original outbuildings that have been converted and their original floorplans not increased in size. This new development dwarves these other buildings. A further picture of a former coach-house provides further support that this was indeed a service lane and should be preserved as one. Supporting one new build request will lead to other requests as people seek to cash in on their large gardens to the detriment of the area which should be protected under the grounds on conservation.

3. A further reason given in the original application refusal was the fact that there are other ways to address the difficulties of having a large garden rather than building a house on it. This is not addressed satisfactorily in the re-submission. The architectural design statement re-iterates that one of the reasons for building the house is that the current garden is too large. The primary reason for building should be a need for housing and the applicants already live in the current property and have no need to build another house to ruin the balance of a prime property in the conservation area.

4. There is a further comment in the design statement which suggests that the proposed property would be nicer to look at than the current 2.4m boundary wall. From looking at the plans the residents of Westfield Drive will still be looking at a wall. However, the new view will have an additional roofing structure which extends to 5m in height. As a resident of Westfield Drive for 16 years I would like the planning committee to know that no matter how sympathetic the architectural design, the new structures at 5m in height and for the full width of the property will be to the detriment of the living experience for the residents of this street. It is more than double the height of the existing wall on the south facing aspect of Westfield Drive and would increase shading considerably.

5. A final comment on the design statement are references to the fact that Westfield Drive was constructed on the site of a former large property that was demolished and houses built on the grounds. I assume this comment was made to devalue the objections of the current residents of the street who had no involvement with the original planning and building process but still feel strongly about this application. There are clear planning guidelines on demolishing buildings, even in conservation areas, when buildings are in a poor state of repair with no prospect of ever being restored. I presume these guidelines were followed in this circumstance otherwise planning would never have been approved. In this situation we don't have existing buildings that require demolition only a garden that is difficult to maintain. This is a deeply unpopular planning application not just with residents of Westfield Drive but also Mews Lane and Octavia Terrace and should not be supported.

I trust you will convey these objections to the planning committee for their consideration.

Yours sincerely,

Graham Hunter

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mr Robert Henderson

Address: 11 Octavia Terrace Greenock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My back garden has an access from Mews Lane. I do not want to see it changed from its current status as a sparsely developed rear service lane. I wish to object for all the reasons quoted in Mr McColl's report number 19/0327/IC which was made the last time this development was applied for. In particular I think the development would neither preserve nor enhance the Conservation Area, furthermore I believe that there is a presumption against such developments, and I worry that a precedent could be set with proposed developments at the foot of other gardens, which would completely change the character of the area. Mews Lane is narrow and not ideal for any possible increase in road traffic. Also if it is relevant there was no provision for additional housing on this site in the most recent version of the Local Development Plan which I saw.



43 Octavia Terrace

Greenock

PA167SR

7th September 2022

Inverclyde Council
Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock
PA151LY

Dear Sir/Madam,

I would like to comment on the Planning application **22/0203/IC** on Mews Lane in Greenock that I was informed about through the neighbour notification process. There are several areas of concern that I will mention.

Access.

Mews lane was constructed as a service lane and has no footpath. In recent years the tarmac width has been narrowed in areas to accommodate one car width only, such that two vehicles cannot pass easily. Cars parked on the lane cause a lot of difficulty for other vehicles, and at times for pedestrians. At present when a car meets a pedestrian, the interaction needs caution. Vehicles accessing the proposed site may well use the Westfield Drive approach which is already difficult and too narrow to accommodate further traffic. The picture supplied with the application confirms that most residents park on the pavement to ease the traffic flow.

The buildings that already front onto Mews Lane have off street parking but rarely use it. Similarly, there will be no obligation on the new property to use off street parking that they possess. Neither should there be. Perhaps the greatest impact of traffic difficulties on the lane is noticed when service vehicles try to use it – the function that it was designed for. Our heating oil delivery tanker already has difficulty negotiating its way past the parked cars whichever way they approach our back gate which is on the Lane. The application is also factually incorrect in suggesting that refuse collection is not undertaken from the lane. (para 3.2) A check with the town refuse collectors will confirm that their heavy lorry has to manipulate this lane every week as it has always done to serve existing houses, and will presumably be called on further if this application is successful.

Amenity

Contrary to statements in the application, (para 3.1) that there is no attraction for the general public to use the lane, and that there are many other more convenient walking locations (para 4.1) this is simply not true. The fact that it is relatively quiet and somewhat overgrown make the eastern end like a country lane in the heart of the town. It is the case that dog walkers find it most attractive as do children on their bikes. The council recognised this a few years ago and sited a bin for dog waste halfway along the lane. The application seems to suggest through pictures of the western end of the lane that no particular character of the lane now predominates. I do not imagine that this justifies developing the eastern end beyond what it was designed for and further eroding the amenity of this part of the town. The application concludes that considered continuous development makes the

area what it is, yet they also point out that what has already been allowed at the western end was not as considered as what would perhaps be permitted now. Because decisions were made in the past that did not respect the ambience of the area, it does not follow that we should allow further errors to occur. The conservation area status of this part of the town should ensure this. Amenity can be difficult to define and can have a subjective element to it, and in this case includes our pleasure derived from a quiet less built-up area that has fewer cars.

I do use the argument that further development at the eastern end will change the character of the Lane just as the proposal suggests has occurred at the western end (para 4.8). The proposal somewhat arrogantly states that if we do not agree with their assessment then we do not understand the subject matter.

Precedent.

There will be other residents whose properties have land next to the lane who will be watching to see what happens here. In the last five years I have been approached three times by individuals and companies wishing to purchase all or part of my back garden with the intention of building a new property that is accessed via Mews Lane. If the proposed development is allowed then we will inevitably have further similar applications. Declining their applications in the future will be open to challenge if this application is approved. The end result will be a massive transformation of this area, which would not be conserving it.

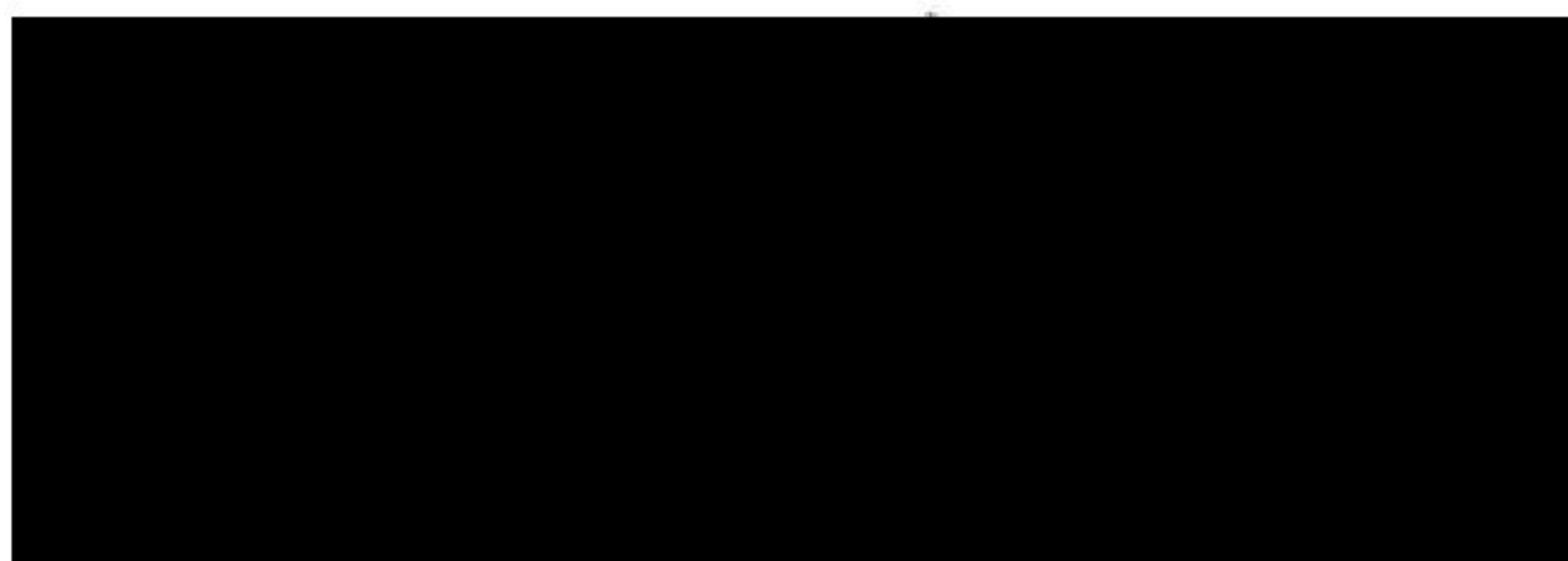
My garden may well be the size of the plot in question but it is not "redundant", or "unsustainable" because I chose to help it become a delightful green space for plants birds and animals that I believe enhances the area. The plot of land in question could easily be the same if we were to preserve and conserve what we have.

An observation I have concerning the future is that as the proposed building and garden ground will be readily overlooked by the existing residents of Elmhurst from two floors, there will be conflicting pressures on the erection of a southern boundary wall and shrubbery. On the one hand they will want the boundary low to allow light in and on the other they will not want their garden and large rear window being overlooked. I imagine that in time the new building in itself will attract development rights that are likely to be used to try and overcome this built-in problem.

Since the introduction of the Conservation area in the west end of Greenock no new building has been erected in Mews Lane. It is my hope that this application will be rejected as it will certainly not improve the amenity of the area and will cause a lot of problems in the future.

Thankyou for giving me the opportunity to express my opinion.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

W. B. Henderson

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mr stephen quigg

Address: 3 Westfield Drive greenock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We objected to the first application for a house and again object. Our previous concerns remain - that the character of Mews Lane, bordered by the unique, grand existing houses and gardens of Newark Street and Octavia Terrace is protected. Granting permission means other houses with gardens may do the same, completely changing the density and ruining a peaceful and tranquil area enjoyed by all, making its un-paved walkway unsafe. There are already issues with utility access. Adding more houses, with multiple cars and visitors, will only add to those issues.

The new text that goes along with these plans is off-topic to the application - they even note in the conclusions that "the area has only been a conservation area since the 1970s" - This is the point - there were changes made to Mews Lane BEFORE the 1970s and thus the entire point of the conservation area is to protect the remaining character. They mischaracterise a busy lane enjoyed by many residents and walkers

22 September 2022

From
Stephen Quigg
3 Westfield Drive
Greenock
PA16 7SX



To
Laura Graham
Clerical Assistant
Development Management
Regeneration and Planning
Municipal Buildings
24 Clyde Square
GREENOCK
PA15 1LY

Planning objection to 22_0203_IC 92 Newark Street Greenock

I am submitting this letter as the online planning form only allowed 1000 characters.

We objected to the first application for a house and again object. Our previous concerns remain – that the character of Mews Lane, bordered by the unique, grand existing houses and gardens of Newark Street and Octavia Terrace, should be protected. Granting planning permission to this means that other houses with gardens may seek the same, completely changing the density of housing and ruining a peaceful and tranquil area enjoyed by all, and making its un-paved walkway unsafe. There are already issues with access for utilities. Adding more houses, with multiple cars and visitors, will only add to those issues. From a safety PoV, there would be a six-way junction at Mews Lane and Westfield Drive if granted – there are two existing driveways that exit onto the junction, plus this application has a new, restricted vision, driveway. With six possible directions for vehicles, this increases the chance of a collision between vehicles and also pedestrians. We already are wary exiting and this materially increases that risk.

In trying to justify their application, this process is driven by people who decided they wanted to build a house, split up their garden, then sold their previous dwelling without having any formal or indicative approval for a new house, and now wants to rail-road the planning department into acceptance. As such, the new text that goes along with these new plans is completely off-topic to the application, given they themselves notes in the conclusions that “the area has only been a conservation area since the 1970s” – This is exactly the point – there were changes made to Mews Lane BEFORE the 1970s and thus the entire point of the conservation area is to protect the remaining character. This means the off-topic arguments, showing pictures of structures built before the 1970s are irrelevant and must be ignored – they do not support building a new house, but instead re-inforce the argument to conserve the character that is left.

The application makes a drastic attempt to mischaracterise Mews Lane as run down and empty - it is a pretty, busy lane. It is used for activities like dog walking and cycling enjoyed by the local residents and visitors. They also attempt to mischaracterise the garden of the house itself, where they want to build their new house, by describing it as “brownfield” and “unmanageable”, but for at least the last six years we have lived here is anything but – that garden is well maintained and used for activities

by the residents of that particular house, including a croquet game and large party we observed. I am not sure how a lovely lawn and garden can be called "brown field" when it has only ever been a garden. The owner has effectively tried to run a campaign to make it look like Mews Lane is already ruined, yet in its own conclusion notes that "It is important to note that Greenock's West End was only labelled a 'conservation area' in the 1970's" – they admit that ALL of the points made previously in the document about the building work in the area, done before Conservation Area was introduced, have thus no relevance to this new application.

There are a number of individual points in their application that need addressed, for example:
Page 3 – 1.4 the applicant claims they split the garden because it is "unsustainable". What actually happened, is that they split the garden when selling their main door house, purely so that they could build a house in it! It had nothing to do with sustainability of the garden, only their ambition to build a new house in it!

2.12.4 tries to make out the junction at the top of Westfield Drive and Mews Lane is "vacant ground" – in what way can a junction be described as vacant? There is a pretty brick wall which marks the clear boundary at the top of Westfield. The top of Westfield would be turned into the rear view of their cars

Page 18, 3.1 – the author says there is no attraction for the general public to use the lane. On the contrary, the lane is a well-used thoroughfare by walkers, dog walkers, cyclists, skateboarders and children – there are few quiet lanes left to walk in Greenock and this is a key one. Given the applicant lives on the lane, it is bizarre they would attempt to mis-characterize the lane to support their own aims

Page 20, Conclusions again repeats the invalid argument that the garden is no longer useful. This seems strange in an age where we are encouraging sustainability and the creation of green spaces – these plans destroy one of the finest gardens in the area.

Like other owners along the lane, our house at some point has given up boundary land on the lane for adoption, so that it accessible for the enjoyment of all users of the lane. The previous residents would certainly not have been giving up land for adoption to facilitate more housing being built that will ruin the character of the area.

In closing, I think you should reject this revised plan for the same reasons as the first one – it is not in keeping with the conservation of Mews Lane and will have a substantially negative impact on the character of the lane. It also sets a precedent that the other houses with gardens onto Mews Lane will use to sell-off their own land for profit and house construction, forever ruining that character. In the council's own words from the previous refusal – the plans would "fail to preserve or enhance" Greenock West End Conservation Area by sub-dividing one of the "large plots that characterise the area", also stating that introducing "an additional built form" to Mews Lane was "contrary to its historic and continued development as a sparsely developed rear service lane".

Many thanks for your thoughtful consideration,



Stephen Quigg

22/9/2022

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mr Steven MacDonald

Address: 4 Westfield Drive Greenock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposal does not enhance the area and would provide significant detriment to a location which provides a unique route through the North West Character Area. Removal of part of the existing walled route would significantly alter the appearance of this area where the wall is a key aesthetic feature in the locality historically. Additionally, per 7.5 of the Greenock West End Conservation Area Appraisal, Traditional boundaries, such as boundary walls, should be retained preserving the local character.

The route provides a significant opportunity in the community for active travel and is a regular route for walkers/joggers/families/cyclists with the route providing an enjoyable space for those approaching and utilising the Lane for various active travel opportunities. The inclusion of a property here would also increase the risk of pedestrian collision as a junction type scenario would be created with vehicles approaching from each direction including blindly from the proposed property

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mr Steven MacDonald

Address: 4 Westfield Drive Greenock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:with the removal of a current significant grassed area, providing a natural SuDS system, it doesn't seem like any consideration to negate has been considered.

Any consideration to accept this proposal would simply go against a number of the key reference documentation the council utilise and provide no positive contribution to the area. The re-submission of this application does not address any of the previous rejection decisions and, as noted in previous comments, provides significant detriment to an area with distinct character and importance.

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mr Steven MacDonald

Address: 4 Westfield Drive Greenock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposal to sub-divide a plot would provide significant detriment to the character of this particular area within the conservation area where it is known for its larger plot style and remove a distinctive feature to the walled route along Mews Lane. With this, the proposal does not respect the setting of existing buildings in this area.

The proposal also significantly changes the overall appearance of the Westfield Drive/Mews Lane interface where inclusion of a property at the head alters the current streetscape and distinctive character. Westfield Drive siting and the current wall termination is a known distinctive feature of the area where the placement of a building would provide detriment to the existing surroundings and a visual intrusion to properties in the Newark Street/Mews Lane/Westfield Drive area.

Describing the garden as unsustainable is simply untrue as the large character spaces have been well maintained, and continue to do so, by properties throughout the CA.

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mr William Gillan

Address: 1 Westfield Drive Greenock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I have lived at above address for 38 years and strongly object to this application.

Contrary to the bias report contained in a local newspaper that this proposed new build would enhance the area in my opinion it would have the exact opposite effect.

Mews Lane should remain unchanged and allowed to keep its rustic and 'out of doors' character, this proposal would completely change and spoil its special quality.

Over the years the biggest change in this area has been the volume of traffic, both private and commercial vehicles. Westfield Drive is not wide enough to allow cars to park opposite each other without encroaching onto the footpath which presents problems for pedestrians. There is little doubt that this proposal would only increase this problem.

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Ms arlene king

Address: 6 Westfield Drive, Greenock PA16 7SX

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To Whom it May Concern,

I am writing to object to the recent application 22/0203/1C as noted above.

In addition to my first objection, I would like to reiterate that this building will have an adverse affect on the area.

I have lived in this street for over 17 years and feel that the building of this house would change the total look and feel of the place.

Road safety, access, privacy and the blocking of natural daylight are a few of my concerns to name a few.

As this is a conservation area, I would hope this reason alone would be enough to preserve the character and appearance of such a lovely area.

Kindest Regards

Arlene King

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Ms Jane Robertson

Address: 98 Newark Street - Greenock

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I objected to this application last time and my concerns haven't really changed and are primarily concerned with its location at the top of Westfield Drive. My first is regards the building phase which will cause a lot of disruption and make the lane potentially dangerous with extra vehicles in addition to those of the residents of Westfield Drive and the few properties already on the lane. Mews Lane is mainly used by dog walkers, pedestrians and children playing, riding bikes etc. (including my own). I do not feel Mews Lane was accurately characterised in the planning report and is an appreciated low traffic amenity. Secondly, the location long term for a property at the junction of Mews Lane and Westfield Drive would encourage extra parking for any visitors in an impractical/dangerous place clashing with cars from Westfield Drive who turn there and exit there, and through traffic in what is a primarily treated as a pedestrian area.

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mrs Eileen Varian

Address: 1A Mews Lane Greenock

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Mews Lane is a hidden gem. It has no footpath or pavement. On either side of the lane it has various foliage - wild garlic, blackberry bushes and loads of food for the birds and bees. It is used by some dog walkers, people with prams and just for a walk away from traffic. It is like a true country lane - safe and peaceful.

The proposed house would only detract from this natural environment and would not be in keeping with a conservation area.

Comments for Planning Application 22/0203/IC

Application Summary

Application Number: 22/0203/IC

Address: 92 Newark Street Greenock PA16 7TG

Proposal: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping|cr|

Case Officer: Carrie Main

Customer Details

Name: Mrs Laura Porter

Address: Upper Birnam 88 Newark Street GREENOCK

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposals look much the same as the application that I objected to a couple of years ago, which was rejected. Reasons why the application was objectionable are the location, in a conservation area near so many listed buildings. It is not in character with the neighbourhood to have a new build opening onto Mews Lane, which is very narrow for traffic. While there are garages along this lane, the proposed development is larger than would have been expected for the location, at the bottom of a garden. Drainage could be an issue at this level of the site.

**13. DECISION NOTICE DATED 2 DECEMBER 2022
ISSUED BY HEAD OF REGENERATION &
PLANNING**

DECISION NOTICE

Refusal of Planning Permission

Issued under Delegated Powers

**Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY**

Planning Ref: 22/0203/IC

Online Ref:100588620-001

***TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)REGULATIONS 2013***

**Mr G. Scott
92 Newark Street
GREENOCK
PA16 7TG**

**Quigley Architects
Graeme Quigley
The Mews
22 Forsyth Street
GREENOCK
PA16 8DT**

With reference to your application dated 15th August 2022 for planning permission under the above mentioned Act and Regulation for the following development:-

**New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping
at**

92 Newark Street, Greenock

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.
2. The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.
3. The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the "Distinctive" heading.
4. The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 2nd day of December 2022



**Mr Stuart W. Jamieson
Interim Director
Environment and Regeneration**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Democratic Services, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>

Drawing No:	Version:	Dated:
AL(0)01	Rev A	12.08.2022
AL(0)02	Rev B	30.07.2022
AL(0)03	Rev C	12.08.2022
AL(0)04	Rev B	23.07.2022
AL(0)05	Rev A	29.07.2022
AL(0)07	Rev B	27.07.2022
AL(0)08	Rev B	27.07.2022
AL(0)09	Rev B	06.08.2022
AL(0)10	Rev B	10.08.2022
AL(0)11	Rev B	09.08.2022
AL(0)12	Rev B	05.08.2022
137157		19.02.2020

**14. NOTICE OF REVIEW FORM DATED 1 MARCH 2023
WITH SUPPORTING STATEMENT FROM QUIGLEY
ARCHITECTS**

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100219660-005

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Quigley Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Graeme	Building Name:	The Mews
Last Name: *	Quigley	Building Number:	22
Telephone Number: *	01475 724639	Address 1 (Street): *	Forsyth Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Greenock
Fax Number:		Country: *	Scotland
		Postcode: *	PA16 8DT
Email Address: *	info@quigleyarchitects.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="G."/>	Building Number:	<input type="text" value="92"/>
Last Name: *	<input type="text" value="Scott"/>	Address 1 (Street): *	<input type="text" value="Newark Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Greenock"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PA16 7TG"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="natalia@quigleyarchitects.co.uk"/>		

Site Address Details

Planning Authority:	<input type="text" value="Inverclyde Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="92 NEWARK STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GREENOCK"/>
Post Code:	<input type="text" value="PA16 7TG"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="677591"/>	Easting	<input type="text" value="226204"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping at 92 Newark Street, Greenock

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please find accompanying this application a Planning Appeal Statement outlining all information and arguments against the refusal, as well as all supporting documents.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Planning Appeal February 2023 Production 6.1 Production 6.2 Production 6.3 Production 6.4 Production 6.5 Production 6.6
Production 6.7 Production 6.8 Production 6.9 Production 6.10 Production 6.11 Production 6.12 Production 6.13 Production 6.14

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/0203/IC

What date was the application submitted to the planning authority? *

12/08/2022

What date was the decision issued by the planning authority? *

07/12/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The site is behind a wall at the bottom of the expansive garden at 92 Newark Street, Greenock. Access can be granted by Client if they are aware of the date/time of visit. The Client can leave the back gate open for a remote visit directly to the site.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Graeme Quigley

Declaration Date: 01/03/2023

PLANNING APPEAL

**Against refusal of
Planning Application 22/0203/IC
By Inverclyde Council**

**Proposal for a new dwelling at
Mews Lane, 92 Newark Street, Greenock PA16 7TG**

On behalf of Mr & Mrs G. Scott

**By Graeme Gerard Quigley
ARB RIAS RIBA Chartered Architect**

February 2023

quigley
1968 ARCHITECTS

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2. INTRODUCTION

2.1 QUALIFICATIONS AND EXPERIENCE

- 2.1.1 I studied architecture at the Universities of Strathclyde, Florence and Barcelona gaining a Bachelor of Science (Honours) in Architectural Studies and a Master of Architecture in Advanced Architectural Design.
- 2.1.2 I am a fully qualified Chartered Architect, a member of the Architects Registration Board and an Associate of the Royal Institute of Architects in Scotland and the Royal Institute of British Architects.
- 2.1.3 In 2000 I took over my father's chartered architectural practice, Quigley Architects (formerly Quigley Associates), after working there for three years and have been the sole principal since. Our portfolio ranges in contract value from £20,000 to £2 million for a wide variety of private and public-sector clients across the Central Belt and West Coast of Scotland.
- 2.1.4 Established in 1968, Quigley Architects is the oldest architectural practice in Inverclyde.
- 2.1.5 In addition, I provided consulting services to NORD: Northern Office of Resource and Design, who won Young Architect of the Year in 2006, Scottish Design Awards Architect of the Year in 2007 and the 2013 Doolan Award for best building in Scotland.
- 2.1.6 My particular area of expertise is in building conservation, with many commissions in conservation areas and on A, B and C Listed buildings throughout Scotland.

2.2 APPOINTMENT

- 2.2.1 Quigley Architects were appointed by Mr & Mrs Scott in March 2019.

2.3 REASON FOR APPEAL

- 2.3.1 Our Clients are appealing against the Refusal of Planning Consent Decision Notice issued by Inverclyde Council on 2nd December 2022 in connection with planning application 22/0203/IC for the Construction of a dwellinghouse.
- 2.3.2 The decision notice states the reasons for refusal are;
 - 1. *"The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.*
 - 2. *The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.*
 - 3. *The proposal fails to have regard to the six qualities of success places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the "Distinctive" heading.*
 - 4. *The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area."*
- 2.3.3 I will clearly demonstrate that our dwellinghouse is not contrary to SPP Paragraph 29, 2019 LDP and 2021 LDP Policies 1 & 28 or GWE Conservation Area Appraisal Paragraph 8.2, as implied. Indeed, it have been carefully considered and sympathetically designed specifically for the Clients on privately owned land in the middle of an established conservation area of residential housing.

3. BACKGROUND

- 3.1 The application site is located within the Greenock West End Conservation Area at the junction of Mews Lane and Westfield Drive. It forms the northeast part of a very large site stretching from Newark Street to Mews Lane, which houses a large 'late Victorian' blond sandstone villa, converted ancillary buildings with extensive driveway, front and rear gardens.
- 3.2 The local area contains a rich and diverse variety of housing types, sizes and architectural styles developed continuously over hundreds of years from small bungalows to large detached villas, the majority of which have been sub-divided into multiple occupancy dwellings.
- 3.3 Elmhurst is no different. The property was separated into three flatted dwellings in 1935. The ground floor is accessed via the main door of the villa. The lower ground floor is accessed via a side door from the courtyard. The top floor is accessed separately via an external stair. (See production 6.1)
- 3.4 However, because of the scale of the site (1,730m²), and in particular the rear garden bordering Mews Lane (932m²), general maintenance of garden ground proved unsustainable by modern standards.
- 3.5 As such, this rear garden ground has now been split between the 2 properties at 92 & 94 Newark Street, to provide generous private rear gardens of 226sqm and 158sqm respectively. The remainder of the site of 456sqm is vacant land under a separate title, with direct access off Mews Lane. (See Production 6.2)
- 3.6 This historical development directly reflects the changes in lifestyles and the economies of scale where the original large mansion houses sub-divided their extensive grounds for development purposes.
- 3.7 In turn, new streets were formed allowing important large villas such as Bagatelle and Balclutha to be built. These large plots were then sub-divided into smaller building plots and so on leading to the rich tapestry of urban development that we see today. The conservation area has always been developing, always reflecting the architecture and social attitudes of the time.
- 3.8 With this philosophy in mind, in March 2019 we presented our 'initial design' drawings at our pre-application meeting with Inverclyde Council Planning Department indicating how the north-eastern boundary along Mews Lane (in tandem with neighbouring properties) could be sympathetically and successfully developed in line with the mews lanes of Glasgow's West End and Edinburgh's New Town Conservation Areas.
- 3.8.1 Mews Lane has a varied streetscape. The lane provides vehicular access to the Newark Street and Octavia Terrace villas as well as a number of former ancillary buildings which have been turned to houses at various locations. There are also an assortment of garages, terraced houses and off-street parking.
- 3.8.2 Mews Lane has no distinct character in the present day due to erosion of its original use as a service lane. In reality it is a ramshackle mixture of various constructions, traditional boundary walls in poor condition or removed entirely. Bushes and other growth all along reduce the traffic width and give a foreboding character at the eastern end especially with its blind corner.
- 3.8.3 There is no attraction for the general public to use the lane for amenity or commuting and when coupled with poor lighting, site lines and general dilapidation its contribution to the conservation area is minimal.
- 3.9 The Planning Officer advised in writing on 24th April 2019 that we revise our 'scheme design' to be more in keeping with the ethos of cluster ancillary buildings that exist along Mews Lane. (See Production 6.2)
- 3.10 Taking cognisance of Inverclyde Council's pre-application comments, we spent 6 months designing a bespoke one-storey, 2 bedroom, single dwellinghouse with direct correlation to the scale and massing of neighbouring ancillary buildings, while respecting the architectural character of the main villa.
- 3.11 Quigley Architects submitted an application for Planning Consent 19/0327/IC on 19th December 2019 and the Planning Officer advised in writing on 20th March 2020 of his concerns that as proposed development would subdivide the historical plot it would also lead to other sites along Mews Lane being subsequently developed, which would lead to a significant alteration of the Conservation Area. (See Production 6.3)
- 3.12 I am of the opinion that this is the main reason why the site has been refused permission and why Inverclyde Council Planning Department will continue to refusal any and all applications submitted.
- 3.13 Planning Consent 19/0327/IC was refused on 13th August 2021. (See Production 6.4)
- 3.13.1 The decision notice states the reasons for refusal are;
1. *"The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning*

Policy as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.

2. *The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.*
 3. *The proposal fails to have regard to the six qualities of success places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the "Distinctive" heading.*
 4. *The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area."*
- 3.14 It is important to note that the Planning Officer's Report Of Handling produced for the application for Planning Consent 19/0327/IC makes no reference or acknowledgement whatsoever of Westfield Drive despite being 12 pages long. (See Production 6.5)
- 3.15 Quigley Architects submitted a new application for Planning Consent 22/0203/IC on 15th August 2022 which included a significantly expanded design statement addressing all the concerns raised, providing historical evidence and justification to question Planning's reasons for refusal (See Production 6.6)
- 3.16 In addition, we thought it important to acknowledge the development of Westfield Drive and the positioning of our design within its urban context.
- 3.17 The new development will preserve and enhance the conservation area as it utilises vacant ground at the the junction of Westfield Drive and Mews Lane to provide a visual termination through the introduction of a sympathetic house design to the main villa while respecting the scale and plot sizes of its more immediate neighbours off Westfield Drive.
- 3.18 Due to existing topography and the proposed massing, developing this site creates no negative impact on amenity and will bring to a close the urban design error that should have been addressed 90 years ago when Westfield Drive was formed.
- 3.19 Planning Consent 22/0203/IC was refused on 2nd December 2022 citing the same reasons for refusal verbatim as the previous application. (See Production 6.7)
- 3.20 Again, the Planning Officer's 12-page Report Of Handling produced for the application for Planning Consent 22/0203/IC omits Westfield Drive. Its impact on the application site; local urban form; plot density and scale all conveniently ignored. (See Production 6.5)
- 3.21 Despite our best efforts, Planning have;
- 3.21.1 Completely ignored the historical development of Westfield Drive and its significant presence and direct bearing on the application site. They make no reference to it despite the street and associated buildings being the closest built environment to the application site.
 - 3.21.2 Not recognised that the application site is unique as it is the only site (along Mews Lane) that can comply with IC Roads Department's requirements for carriage width and visibility splay due to its location at the junction of Westfield Drive and Mews Lane.

4. REASONS FOR REFUSAL

- 4.1 ***“1.The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.”***
- 4.2 Our design process was informed by our Client’s brief and the typology of buildings on Mews Lane as well as being influenced by the guidance given during pre-application discussions with Inverclyde Council Planning Department.
- 4.3 Our proposals comply with the Council’s policies as they both preserve and enhance the Conservation area through sympathetic placement and visual congruity with the existing built environment as well as appropriate layout, size, scale, design, siting, materials and colour of finish. Careful consideration has also been taken with the design in an effort to preserve the architectural qualities of the existing Victorian villa as well as enhancing the integrity of Mews Lane. (See Productions 6.7 & 6.8)
- 4.4 Sitting in mature landscaping, the proposed dwellinghouse consists of three separate buildings organised around a cobbled courtyard, which is accessed directly off Mews Lane to provide off street parking spaces of 3.0 metres x 5.5 metres for 2 vehicles, as required by Inverclyde Council Roads Department. (See Production 6.9)
- 4.5 The courtyard is located at the head of Westfield Drive and is flanked by 1 storey buildings constructed externally in reconstituted stone with slated roofs whose pitch, eaves and block size reflect the existing architectural composition of Elmhurst. This is to ensure that the new dwellinghouse provides a termination to Westfield Drive while providing a visual link and context to the larger villa behind. (See Production 6.10)
- 4.6 From the private gated courtyard, the buildings are linked by glazed corridors in order to ensure that they are read as three individual entities and reflect a series of ancillary buildings subservient to the main villa, as requested by Inverclyde Council Planning Department. (See Production 6.11)
- 4.7 The different functions of these three buildings are also clearly expressed, namely;
- 4.7.1 The south building is the open plan living area consisting of a double-height ‘family room’ with kitchen, dining and entertaining facilities. Floor to ceiling glazing looks out and opens onto private south-facing landscaping and patio areas.
- 4.7.2 The west building is the sleeping accommodation consisting of two generous sized bedrooms with built in storage and adjacent shower room. These spaces are more private, with smaller windows looking onto controlled views.
- 4.7.3 Lastly, the east building is the functional utility and storage areas opening out and accessing the house and garden, as required. The outdoor area has access to the garden and bin store and consists of a w.c., cloak cupboard, utility room and external plant room/ garden store.
- 4.8 Due to a thorough understanding of the surrounding context, the scale and composition of the proposed building has been carefully considered to reflect the various ancillary buildings that populate Mews Lane.
- 4.9 The low height, modest footprint and careful positioning of the proposal was agreed after considering a preservation of the view from the existing house. Scale, in particular has been designed in consideration of the existing Villa and surrounding properties so as not to impose on the streetscape.
- 4.10 We have proposed to remove the existing brick wall, the materials of which will be utilized in construction where possible, in order for the building to be placed back from the lane, this will ensure that there will be no overhangs onto the road and provide the required visibility splay.
- 4.11 Consideration has also been taken so that the proposed dwelling does not overlook neighbouring properties or impact negatively on the existing amenity. Windows face east, south and west into the proposed dwelling’s private garden ground. Semi-mature trees will be planted along the new southwestern boundary to create additional privacy.
- 4.12 The proposed single storey dwelling will not introduce any loss of daylight or create overshadowing to any existing property in the immediate vicinity. The new building is sited over 10 metres away from its immediate neighbours on Westfield Drive and over 20 metres away from Elmhurst. In addition, the ridge of the proposed roof is less than 1 metre higher than the existing ground floor level of the main villa so existing views are preserved. (See Production 6.12)
- 4.13 The overall sustainability of the new build is vital and this is incorporated into the design to allow people to easily adapt their home as their needs change with time.
- 4.14 In order to make the building zero carbon we propose to use reclaimed materials where appropriate, such

as cobbles, brick and slates. For example, the courtyard will be resurfaced in second hand cobbles, the new buildings will be roofed using second hand slates to match the roofs of the existing ancillary buildings. Any disturbed soil from the site clearance will also be retained on-site for landscaping purposes. Similarly, we will keep and reuse the demolished brickwork in the construction and garden landscaping.

- 4.15 Energy efficiency is achieved through the use of high specification double-glazing throughout and floor, extra thick wall & roof insulation ensuring the new-build has low running costs.
- 4.16 The quality of materials specified will stand up well to the West Coast climate as they are traditional to the Scottish style and have been tested over the centuries. The sheltered location of the new build also will help combat adverse weathering.
- 4.17 These factors in tandem with a considered maintenance program will ensure the new construction's longevity and sustainability.
- 4.18 ***"2. The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan."***

4.19 POLICY 28 – CONSERVATION AREAS

'Proposals for development, within or affecting the settling of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or others information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.' (p.28)

- 4.20 The proposed site historically backed onto Mews Lane, a service lane for accessing the rear of large villas fronting Octavia Terrace and then Newark Street.
- 4.21 Over the years a number of important alterations have eroded Mews Lane from simply a series of boundary walls with the occasion ancillary building punctuation. In the 1930s, a large villa fronting Octavia Terrace was demolished and a new street formed between Octavia Terrace and Mews Lane called Westfield Drive to facilitate the 12 semi-detached and detached houses built as its replacement. Plot sizes, design and layout of these houses did not reflect the immediate vicinity at the time.
- 4.22 In addition, opening Mews Lane up visually was never addressed in terms of urban design to the detriment of the character and appearance of the conservation area.
- 4.23 Again, in the 1960s, a Council-led development of 12 houses significantly eroded the western end of Mews Lane when semi-detached and terraced housing with associated garages were introduced. Plots sizes, design and general layout neither preserve or enhance the character and appearance of the conservation area.
- 4.25 ***"3. The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the "Distinctive" heading."***

4.26 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.'

The six qualities of successful places are;

- *Distinctive*
- *safe and pleasant*
- *easy to move around*
- *welcoming*
- *adaptable*
- *resource efficient*

- 4.27 The proposed house for the vacant land fronting Mews Lane complies with all six of the points individually and collectively, namely;
- 4.27.1 **Distinctive:** The bespoke design is unique as it has been specifically designed for the site, making sure it is as sympathetic as possible to the surrounding urban context. The design is subtly restrained and conservative in its approach yet modern and distinctive enough to stand out from the surrounding buildings positively.
- It reflects the local architecture and urban form and contributes positively to historic places.
- 4.27.2 **Safe and pleasant:** The one storey house faces in on itself with controlled views onto its own courtyard and private south-facing garden. An inconspicuous vehicular and pedestrian entrance for privacy so that owners feel more secluded, without the direct view from the street. Privacy and security are further maintained by walls around all boundaries softened by landscaping areas for planting and amenity.
- The proposal avoids conflict with adjacent uses in respect of overshadowing, privacy and noise.
- 4.27.3 **Easy to move around:** Designed from the outset to be fully compliant with current building standards for accessibility all rooms, doors and corridor widths cater for all needs. In addition, there are no stairs or changes in level to restrict the end users internally or externally.
- 4.27.4 **Welcoming:** Providing a visual termination to Westfield Drive the 'converted ancillary buildings' narrative opens onto a hard landscaped courtyard off the street in keeping with similar mews type properties adjacent. Glazed entrance hallways maintain visual separation as well as provide clues to the private gardens that lie beyond. Internally the spaces range from enclosed and private to open plan and public depending on their proposed function.
- The layout of the proposal is legible and easy to access.
- 4.27.5 **Adaptable:** The proposal is fully adaptable with all internal partitions non-loadbearing allowing simple manipulation of the layout. In addition, external space has been left vacant to facilitate easy extension of the property should additional space be required at a later date.
- 4.27.6 **Resource efficient:** Sustainability has also been at the fore-front of the design process throughout by the incorporation of renewal technologies and green design principles. Building orientation provides opportunities for solar gain and optimum placement for PV arrays while maintaining the aesthetic of the conservation area streetscape. Air source heat pumps are also discreetly placed.
- 4.28 The scheme is distinctive as it has been sympathetically designed by a highly qualified Chartered Architect with over 20 years practical experience in architectural design who grew up and lives in Greenock. Inverclyde Council Planning Department do not have the expertise to establish the validity or question the merits of the design.
- 4.29 ***"4. The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area."***
- 4.30 We are of the opinion that within contemporary society there should be allowance for the sensitive conversion of very large Victorian market garden spaces, obsolete now that food production to supply the household is not required.
- 4.31 This philosophy is exactly how Greenock's West End has developed over the past 200 years from the original large mansions in the countryside and the development of the street grid in the early 1800s.
- 4.32 There has always been a continuous sub-division of plot sizes over the centuries due to economic pressure and changes in social behaviour which, when carefully managed, has been successful and contributed to a built environment that we call the Greenock West End Conservation Area.
- 4.33 It is important to note that Greenock's West End was only labelled a 'conservation area' in the 1970's yet considered continuous development made the area what it is way before then so to use the argument of restricting development because it will change the character of an area is not understanding the subject matter. Look to the adjacent Madeira Lane to see how 'service lanes' have been developed. There are many examples throughout the West End of precedent with this type of development.
- 4.34 Our thoroughly researched design for a new dwellinghouse is both sensitive and harmonious with the existing building, its setting and the local built environment and as such complies with Inverclyde Council's Local Development Planning Policies 20, 28 and PAAN 2.

5. CONCLUSION

- 5.1 The whole project has been driven by informed Clients who insisted from the outset that the scale of the proposed house should be modest, however, that the proposed finishing materials and details have been specified to reflect a thorough understanding of the historic surroundings.
- 5.2 It is important to remember that Westfield Drive was constructed on the site of a former Victorian Villa and a new street formed to access Mews Lane. As such, the considered placement of our building at the head of Westfield Drive gives a termination point to the street view rather than that of a brick wall.
- 5.3 We believe therefore that by allowing the new 'ancillary style' building to be built on the application site it will be significantly beneficial now and for future generations by preserving and enhancing Greenock's West End Conservation Area.
- 5.4 The high standard of products proposed combined with the simplicity and sensitivity of the design complements the existing house and we therefore respectfully request that our detailed application for Planning Consent is granted.

6. PRODUCTIONS



Begin forwarded message:

From: James McColl <James.McColl@inverclyde.gov.uk>
Subject: Development at Mews Lane, Greenock
Date: 24 April 2019 at 11:34:41 BST
To: "graeme@quigleyarchitects.co.uk" <graeme@quigleyarchitects.co.uk>



2/3 Bedroom
Utility Room.
Bathroom
to suite?
SATA kitchen

Graeme,

Further to our previous meeting in respect of the above, I apologise for the delay in following this up with you. I have been tied up with a particularly complex and time consuming application which I ended up working on pretty much exclusively for an extended period. I am only now starting to catch-up with the remainder of my workload.

We discussed the possibility of a Mews type development to the rear of properties at 86 – 92 Newark Street and fronting onto Mews Lane.

I have now had the opportunity to visit Mews Lane, review the concept of the proposal and discuss with my colleagues.

The Greenock West End Conservation Area Appraisal provides a good base for considering the proposal in conjunction with the Local Development Plan (adopted and proposed). This part of the Conservation Area was largely developed in the later decades of the 19th century and the building style is predominantly detached (often large detached) and semi- detached villas set back from the road in spacious garden ground. The principle streets in this area of the Conservation Area are the Esplanade, Eldon Street, Octavia Terrace and Newark Street. The overall pattern of development comprises the larger plots set out along these broad thoroughfares. Mews Lane largely takes the form of a rear access or service lane and was not designed to provide the principle access to residential dwellings.

Looking at Mews Lane, there are some residential properties which have been developed over time which front and access to the Lane. These appear to have been formed from outbuildings or stables to the rear of the larger plots. They are very few in number and remain an incidental feature which is not out of context of the overall pattern of development and history of the Conservation Area.

In assessing further new development, this must accord with the prevailing form of historic development including the scale, massing and historic layout. Such new development also requires to respect the setting of the existing building (regardless of whether they are listed). Any development within original plots could only be supported where the existing pattern of development is respected, existing plots sizes are not adversely impacted on and the new development follows existing plot ratios and pattern of development.

At our meeting, comparisons were drawn to Circus Lane in Edinburgh. This is very different to Mews Lane in Greenock. In the Edinburgh New Town Conservation Area, the lanes were heavily developed to provided accommodation for stabling and coaches associated with the town houses on the streets that they lay behind. This original function is still very visible with the carriage entrances that have been retained as part of the history of the buildings. Mews Lane in Greenock simply did not develop this way.

The proposal would not follow the historic pattern of development within Mews Lane and this part of the wider Conservation Area. It would sub-divide large plots which characterise this part of the Conservation Area and introduce a built form to Mews Lane which is completely out of context with the fact that the Lane is simply a rear service lane with only a range of small scale, incidental

outbuildings. It is not considered that the proposal would preserve or enhance the character, appearance and special interest of the Conservation Area.

It is not considered that the proposal could be held to accord with Policy HER1 of the adopted Local Development Plan or Policy 28 of the proposed Local Development Plan. Additionally, the proposal would fail against Policy 1 of the proposed Local Development Plan. Regrettably, this is not a development which I could support.

Regards

James McColl BSc (Hons) MRTPI
Senior Planner

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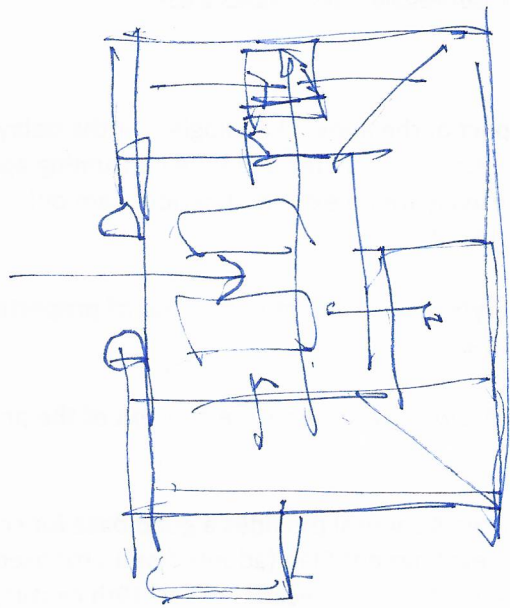
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From: James McColl James.McColl@inverclyde.gov.uk 
Subject: RE: (Official) Planning application 19/0327/IC - 92 Newark Street (fronting Mews Lane), Greenock
Date: 26 March 2020 at 10:29
To: Graeme Quigley graeme@quigleyarchitects.co.uk



Graeme,

Apologies for the delay in coming back to you, I had intended to Email you soon after my Email regarding 38 Robertson Street, but recent events rather took over.

Further to the above application, I have now had the opportunity to consider the proposal in detail, visit the site and review the supporting statement received around the middle of

Last year we discussed the possibility of a Mews type development to the rear of the properties at 86 – 92 Newark Street and fronting onto Mews Lane. Given that the proposal was a development that I advised I could not support. When we subsequently met thereafter, you advised that you were looking at the advice and that you may consider

The submitted application seeks to develop a single storey dwellinghouse fronting Mews Lane, which you advise will reflect the various ancillary buildings that populate Mews Lane

As I noted in my previous advice, the Greenock West End Conservation Area Appraisal provides a good base for considering the proposal in conjunction with the Local Development Plan from the road in spacious garden ground. The principle streets in this area of the Conservation Area are the Esplanade, Eldon Street, Octavia Terrace and Newark Street. The over to residential dwellings. It is acknowledged that there are some residential properties that have been developed over time which front and access to the Lane. These appear to have been historically, they are very few in number and remain an incidental feature not out of context of the overall pattern of development and history of the Conservation Area.

The Greenock West End Conservation Area Appraisal is clear on their being a presumption against development within the original plots within the Conservation Area. The Council's Policy which seeks to protect the historic environment. Any new development thus must accord with the prevailing form of historic development including the historic layout and the new development follows existing plot ratios and pattern of development.

Whilst much reduced from that considered in the pre-application discussion, the proposal would sub-divide one of the large plots which characterise this part of the Conservation Area site and if other similar sites along Mews Lane were developed in a similar fashion, these would all combine to very significantly alter the established character of the area. This would

A further search of previous applications has highlighted one from 2003 which sought to develop a new dwellinghouse fronting Mews Lane to the rear of one of the large villas on Mews Lane. This was not considered to protect or enhance the Conservation Area. Whilst some time has elapsed since this decision, I find it to remain relevant.

In summary, the proposal would sub-divide one of the large plots which characterise this part of the Conservation Area and introduce a new, additional dwellinghouse to Mews Lane. This would be a significant change to the appearance and special interest of the Conservation Area. I also cannot agree that the proposal could be justified on the basis of an argument that the general maintenance of the area would be improved by the development that I am able to support.

Notwithstanding the above, I am in receipt of a consultation response from Roads. In this respect, it is advised that a visibility splay of 2m by 17m by 1.05m from the off street parking area is acceptable.

In their consultation response as Flood Prevention Authority, Roads advise that surface water flow from the site should be limited to that of greenfield flow off and it is advised that

In moving forward with the application should you choose not to address the above matters from the consultation response, these would also form a reason for refusal and I would

The same would apply to the Local Development Plan requirement that new buildings incorporate low and zero-carbon generating technologies (Policy 6). What is proposed in respect of

I am only contactable by Email due to the current situation and I look forward to hearing how you wish to proceed.

Regards

James McColl BSc (Hons) MRTPI
Senior Planner

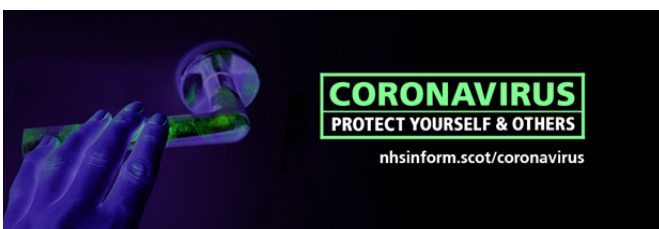
Please note I am currently working from home and do not have the facility to receive phone calls

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DECISION NOTICE

Refusal of Planning Permission

Issued under Delegated Powers

**Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY**

Planning Ref: 19/0327/IC

Online Ref:100219660-001

***TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)REGULATIONS 2013***

**Mr & Mrs G. Scott
92 Newark Street
GREENOCK
PA16 7TG**

**Quigley Architects
Graeme Quigley
The Mews
22 Forsyth Street
GREENOCK
PA16 8DT**

With reference to your application dated 19th December 2019 for planning permission under the above mentioned Act and Regulation for the following development:-

New build one storey detached house (fronting Mews Lane) with associated hard and soft landscaping at

92 Newark Street, Greenock

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.
2. The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.
3. The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the "Distinctive" heading.
4. The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 13th day of August 2021

**Mr Stuart W. Jamieson
Interim Service Director
Environment and Economic Recovery**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.
- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>

Drawing No:	Version:	Dated:
AL(0)01		28.02.2019
AL(0)02	Rev A	04.03.2019
AL(0)03	Rev B	16.07.2019
AL(0)04	Rev A	20.07.2019
AL(0)05		25.03.2019
AL(0)07	Rev A	01.04.2020
AL(0)08	Rev A	27.03.2020
AL(0)09	Rev A	26.03.2020
AL(0)10	Rev A	01.04.2020
AL(0)11	Rev A	30.03.2020
AL(0)12	Rev A	31.03.2020

REPORT OF HANDLING

Report By: James McColl

Report No: 19/0327/IC

**Local Application
Development**

**Contact
Officer:** 01475 712462

Date: 2nd July 2021

Subject: New build one storey detached house (fronting Mews Lane) with associated hard and soft landscaping at 92 Newark Street, Greenock

SITE DESCRIPTION

The application site comprises a substantial sub-divided villa and associated curtilage situated on the northern side of Newark Street, Greenock. Mews Lane, at its junction with Westfield Drive, lies to the rear. Externally the existing building is finished in sandstone and a slate roof. The site slopes down gently to Mews Lane.

A wide variety of dwellings and flatted dwellings lie adjacent to the site on Newark Street, Westfield Drive, and Octavia Terrace. The former Mariners Home building lies diagonally opposite on Newark Street. The site is within the Greenock West End Conservation Area.

PROPOSAL

It is proposed to sub-divide the rear curtilage and construct a detached, single storey dwellinghouse fronting Mews Lane. The new plot will extend to an area of 456 square metres and the proposed dwellinghouse to an external footprint of around 185 square metres. Accommodation will comprise an open plan kitchen and family room, two bedrooms, a shower room, a utility room and an external store. Two off-street parking spaces are proposed within a courtyard area.

The proposed dwelling will be single storey and be designed in three distinct parts linked around the small courtyard area. The existing boundary wall to Mews Lane will be removed and the proposed dwellinghouse finished externally in reconstituted stone and a slate roof to a height of around 4.8 metres and with a pitch and detailing to reflect the existing villa. The three components of the building will be linked by small glazed corridors. A gate will enclose the courtyard to Mews Lane.

The applicant has submitted a design statement in support of the proposal.

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 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a) be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);
- b) increase the level of flood risk elsewhere; and
- c) reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i. a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii. the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 10 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- a) provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- b) include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

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

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

Policy 11 - Managing Impact of Development on the Transport Network

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

Policy 16 - Contaminated Land

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

Policy 28 - Conservation Areas

Proposals for development within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies

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

PROPOSED 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.

*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 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a) be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- b) increase the level of flood risk elsewhere; and
- c) reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood risk management schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

Policy 10 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 4th edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- 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, 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 28 - Conservation Areas

Proposals for development, within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area.

Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Applicants should demonstrate that every reasonable effort has been made to secure the future of the building. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Draft Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies

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 – No objections. A number of points are raised as follows:

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

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

The application is for a two bedroom dwelling. This requires 2no parking spaces.

- The parking spaces shall be a minimum of 3.0m by 5.5m. The parking is acceptable.
- The courtyard should be paved for a minimum of 2.0 m to prevent loose material being spilled onto the road.
- The gradient of the courtyard should not exceed 10%
- The visibility splay should be a minimum of 2.0m by 17.0m by 1.05m. This is achieved on the applicant's updated drawing.
- The surface water flow from the site should be limited to that of greenfield flow off. The applicant should demonstrate through calculations this is achievable. The applicant proposes a solution involving a soakaway within the site and this approach is acceptable subject to a final drainage drawing and surface water being contained within the site.
- The building appears to be constructed on and overhangs the service strip, and shall be redesigned to keep the service strip free from construction. This is addressed by the applicant's updated drawing.

Head of Public Protection and Covid Recovery – No objections. Conditions in respect of contaminated land, bin storage, external lighting and sound insulation complying with the Building Regulations are recommended.

PUBLICITY

The application was advertised in the Greenock Telegraph on 17th January 2020 as a development affecting a conservation area.

SITE NOTICES

A site notice was posted on 17th January 2020 for development affecting a conservation area.

PUBLIC PARTICIPATION

Eight objections were received in connection with the application. The concerns raised can be summarised as follows:

Roads and traffic related issues

- The proposal may increase traffic adjacent to the junction with Westfield Drive, to the detriment of road safety.
- Mews Lane serves a variety of traffic and full access must be retained both during and on completion of the works. The proposal may result in parking and the blocking of the road.
- There is no provision for visitor parking which may cause additional on-street parking to occur.
- Emergency services may be impeded.
- The access/egress does not have suitable visibility.
- Construction works and traffic may impact upon road safety.
- The development is shown to be overhanging the lane and this may cause issues for traffic.
- Mews Lane has no footway.

Design and impact on the impact on the Conservation Area concerns

- A negative impact on the appearance of the street will result.
- If approved, similar development may occur completely changing the character and appearance of the street.
- Other dwellings to Mews Lane are former outbuildings.
- The development is inappropriate for the conservation area location.

Residential amenity concerns

- Construction noise and disturbance may occur.
- The proposed site is unsuitable for development and may result in a loss of amenity for neighbouring residents.
- Daylight and sunlight to adjacent residents may be reduced.

Other matters

- The proposal may exacerbate existing drainage issues and flooding to neighbouring properties may occur.
- The applicant cites not being able to manage the large rear garden as a justification for the proposal. This is disingenuous as a reason as there are other solutions to this.

I will consider these concerns in my assessment.

ASSESSMENT

The material considerations in the assessment of this application are national planning policy inclusive of Scottish Planning Policy (SPP), the adopted 2019 Inverclyde Local Development Plan, the proposed 2021 Inverclyde Local Development Plan, adopted and draft Planning Application Advice Notes (PAAN) 2 and 3 on "Single Plot Residential Development" and "Private and Public Open Space Provision in New Residential Development" respectively, Historic Environment Scotland's Historic Environment Policy for Scotland and "Managing Change in the Historic Environment" guidance note series, the Greenock West End Conservation Area Appraisal, the visual impact, the impact within the Conservation Area, the impact on residential amenity, the consultation responses, the representations received and the planning history within Mews Lane.

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

Policy 28 of the adopted and proposed Local Development Plan advises that proposals for development within a conservation area require to preserve or enhance the character and appearance of the area. It is further advised that in assessing such proposals any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area requires to be considered. Policy 1 of both Plans requires all development to have regard to the six qualities of successful places. The relevant factors in respect of this development contributing to the qualities of successful places are being "Distinctive" in reflecting local architecture and urban form and contributing positively to historic places, being "Resource Efficient" in making use of previously developed land, being "Safe and Pleasant" in avoiding conflict with adjacent uses in respect in respect of overshadowing, privacy and noise and "Welcoming" in making buildings legible and easy to access. Policy 18 of the proposed Plan supports new housing development on the sites identified in Schedule 3, and on other appropriate sites within residential areas and town and local centres. This site is not identified in Schedule 3. Policy 20 of the proposed Plan additionally

requires development within residential areas to be assessed with regard to impact on the amenity, character and appearance of the area.

Historic Environment Scotland's "Managing Change in the Historic Environment" guidance note on "Setting" advises that setting can be important to the way in which historic places are understood, appreciated and experienced, and provides guidance on factors to be considered in assessing the impact of a change on the setting of a historic asset or place. The Greenock West End Conservation Area Appraisal identifies the application site as being within the north-west character area of the Conservation Area which was largely developed in the later decades of the 19th century. The property style is predominantly detached and semi-detached villas set back from the street and set in garden grounds and these became more elaborate in their architectural detail and larger in size as the century progressed. It is noted that on Newark Street, a group of large mansions provide a setting context for the Mariners Home. The Appraisal goes on to advise that in assessing planning applications, the Council shall consider them in relation to the relevant Local Development Plan. The Appraisal is not generally supportive of new development within existing plots and notes that new development should follow existing plot ratios.

PAAN2 on "Single Plot Residential Development" offers guidance on infill plots. It is noted in the guidance that small developments are often beneficial in removing derelict and untidy sites from the streetscene. The site currently functions as a domestic garden and does not appear as an untidy or derelict site within the streetscape. In any case, to Mews Lane it is enclosed by a large boundary wall which screens views to the garden from the public domain. Whilst the applicant contends that the general maintenance of garden ground for the existing property is unsustainable by modern standards, I do not consider that this would alone provide justification for the development. PAAN2 goes on to advise that infill development should have a plot size and proportion of built ground to garden reflecting the immediate locality. The distance to garden boundaries should also reflect the immediate locality together with the established street front building line. Height, roof design, use of materials and colours should also reflect the immediate locality. PAAN3 offers similar advice in respect of the development of single plots. PAAN2 provides additional advice on proposals within conservation areas referencing national policy and guidance. It is advised that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

The principle of the plot size, coverage and footprint of the proposed house can be considered in the context of a varied arrangement of plots within the vicinity and it could be argued that alone, the plot size and built proportion is not out of step with the wider locality. Equally, I note the proposed design concept and detailing which seeks to respond to the location of the development. However, the proposal would result in the subdivision of the plot of one of the large villas on Newark Street which would be at odds with the wider pattern of development within this part of the Conservation Area where the predominant building pattern centres around large villas in spacious plots set out along Newark Street or Octavia Terrace with rear service entrances from Mews Lane.

In the submitted design statement, the applicant considers that allowance should be made for the appropriate conversion of very large Victorian market garden spaces which have become obsolete and that this philosophy follows how Greenock's West End has developed over the past 250 years, from the original large mansions in the countryside and the development of the street grid in the early 1800s. It is contended that there has always been a continuous subdivision of plot sizes over the centuries due to economic pressure and changes in social behaviour which, when carefully managed, has been successful and contributed to a built environment that we call the Greenock West End Conservation Area. It is further highlighted by the applicant that continuous development made the area what it is prior to the designation of the Conservation Area and to use the argument of restricting development because it will change the character of an area is not understanding the subject matter. How the nearby Madeira Lane has developed is also highlighted.

Mews Lane largely takes the form of a rear access or service lane and was not designed to provide the principle access to residential dwellings. Whilst there may be a varied visual appearance along the Lane together with sporadic development, it remains that Mews Lane takes the form of a sparsely developed rear service lane. It is acknowledged that there are some residential properties that have

been developed over time which both front and access to the Lane. These appear to have been formed from outbuildings or stables to the rear of the larger plots rather than being completely new build developments. Other dwellings on Mews Lane are more historical, they are very few in number and remain an incidental feature not out of context with the sparsely developed pattern in the Lane. In respect of the planning history within Mews Lane, planning permission was refused in 2003 to develop a new dwellinghouse fronting Mews Lane to the rear of one of the large villas at 84 Newark Street. In principle the proposal was considered to conflict with the established character, pattern of development in the area and increase in built density. Overall, it was not considered to protect or enhance the Conservation Area. Whilst some time has elapsed since this decision and whilst each application requires to be considered on individual merit, it is appropriate that the Council takes a consistent approach to decision making where the circumstances have not significantly changed in the intervening period.

There is no dispute with the applicant's position that regardless of the Conservation Area designation, development cannot "stand still" and the area must evolve. Many examples of where appropriate development has been achieved, allowing the area to evolve and preserving and enhancing the Conservation Area can be found. However, in accordance with SPP, development cannot be at any cost. Throughout the evolution of the area, Mews Lane has remained as a sparsely developed service lane and any new development must accord with the prevailing form of historic development including the overall historic layout. This proposal would sub-divide one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane. Whilst it remains that each application would require to be considered on individual merit, this is also not a unique site. If other similar sites along Mews Lane were developed in a similar fashion, these would all combine to very significantly alter the Lane.

I further note the reference to Madeira Lane and how this has evolved as a similar rear service lane. In visiting this Lane, I found a similar, albeit shorter, sparsely developed rear service lane. Whilst new development has occurred within the curtilage of one building, I do not find this provides any justification for development at Mews Lane. It cannot be considered that the development would preserve or enhance the Conservation Area as required by Policy 28 of the adopted and proposed Local Development Plans. In respect of the factors contributing to successful places, it therefore cannot be held that the proposal reflects local urban form and contributes positively to historic places. The proposal thus fails under the "Distinctive" heading and is thus not supported by Policy 1 of both the adopted and proposed Local Development Plans.

Turning to residential amenity, any development project will produce noise and an element of disruption during the construction phase and this cannot be a determining factor in consider whether to grant planning permission: this is a matter controlled by legislation under the auspices of the Head of Public Protection and Covid Recovery. It is recognised that the neighbouring residents have an established level of amenity. The position and scale of the proposed dwelling together with the proposed fenestration do not raise any concerns regarding the potential for overlooking and loss of privacy to neighbouring dwellings. The single storey design together with the topography within the site and proposed landscaping within the new plot further limits the potential for any impact on the donor house. Whilst I note the concerns in the representations, the positioning and limited height of the building further ensures that there are no implications in respect of sunlight and daylight to neighbouring property. The noise and activity generated by the new dwellinghouse would be typical of that emanating from a domestic setting and I do not therefore consider that undue noise disturbance to neighbouring residents, including within the donor house, would occur.

The proposed house is within an accessible urban location a short walk from local bus services. There are no implications with respect to Policy 10 of the adopted Plan and Policy 11 of the proposed Plan. A range of traffic and road safety concerns have been raised in the representations. With regard to parking, traffic and road safety, I am principally guided by the advice from the Head of Service – Roads and Transportation. Initially, some concerns were raised in respect of sightlines and a possible overhang of the eaves of the new dwelling. These matters were addressed by the applicant. Parking is provided in accordance with the National Roads Development Guidance and the dimensions of

the driveway follow the advice given in the consultation response. A suitable driveway gradient can also be achieved. A condition can ensure the first two metres of the courtyard is paved if required. The requirements of Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan are therefore met.

Turning to flooding and drainage, the Head of Service – Roads and Transportation advises that the surface water flow from the site should be limited to that of greenfield flow off and the applicant should demonstrate this is achievable through calculations. The applicant proposes a solution involving a soakaway within the site and the Head of Service - Roads and Transportation is happy with this approach, subject to a final drainage drawing and surface water being contained within the site. These matters can be addressed by condition if required. The proposal is acceptable with reference to Policies 8 and 9 of the adopted Plan and policies 9 and 10 of the proposed Plan.

Considering the outstanding points raised in the consultation responses, the Head of Public Protection and Covid Recovery raises no objections in respect of the proposal. I am satisfied that matters in respect of ground contamination can be addressed by condition. In this respect, I consider that the proposals comply with the requirements of Policy 16 of the adopted Plan and Policy 17 of the proposed Plan in respect of ground contamination. Matters relating to external lighting can be addressed by advisory note and compliance with the Building (Scotland) Regulations is addressed via the building warrant process. Bin storage arrangements are shown on the proposed site plan.

As an element of design, Policy 6 of the adopted Plan also seeks to ensure that all new buildings are energy efficient through the installation of low and zero carbon generating technologies and 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. Policy 6 of the proposed Plan reflects the updated position with a 20% requirement. This requirement can be addressed by condition if required.

Overall, whilst the proposal may be situated on a site within an accessible urban location, a number of concerns arise. Regardless of the detail of the design which it is acknowledged seeks to respond to the location, the proposal would sub-divide one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane. This cannot be considered to preserve or enhance the Conservation Area as required by Policy 28 of the adopted and proposed Local Development Plans. The proposal also fails to reflect the six qualities of successful places and is thus not supported by Policy 1 of both the adopted and proposed Local Development Plans. Considering the principles of sustainable development in respect of paragraph 29 of SPP, the proposal fails in respect of two of these as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. The proposal is thus not sustainable development with reference to SPP and thus not the right development in the right place. The proposal also fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area

In conclusion, Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended) requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal cannot be held to accord with the Development Plan and in reviewing the application together with the applicant's position set out in the supporting statement, it is concluded that there are no material considerations to indicate that the application should be considered favourably.

RECOMMENDATION

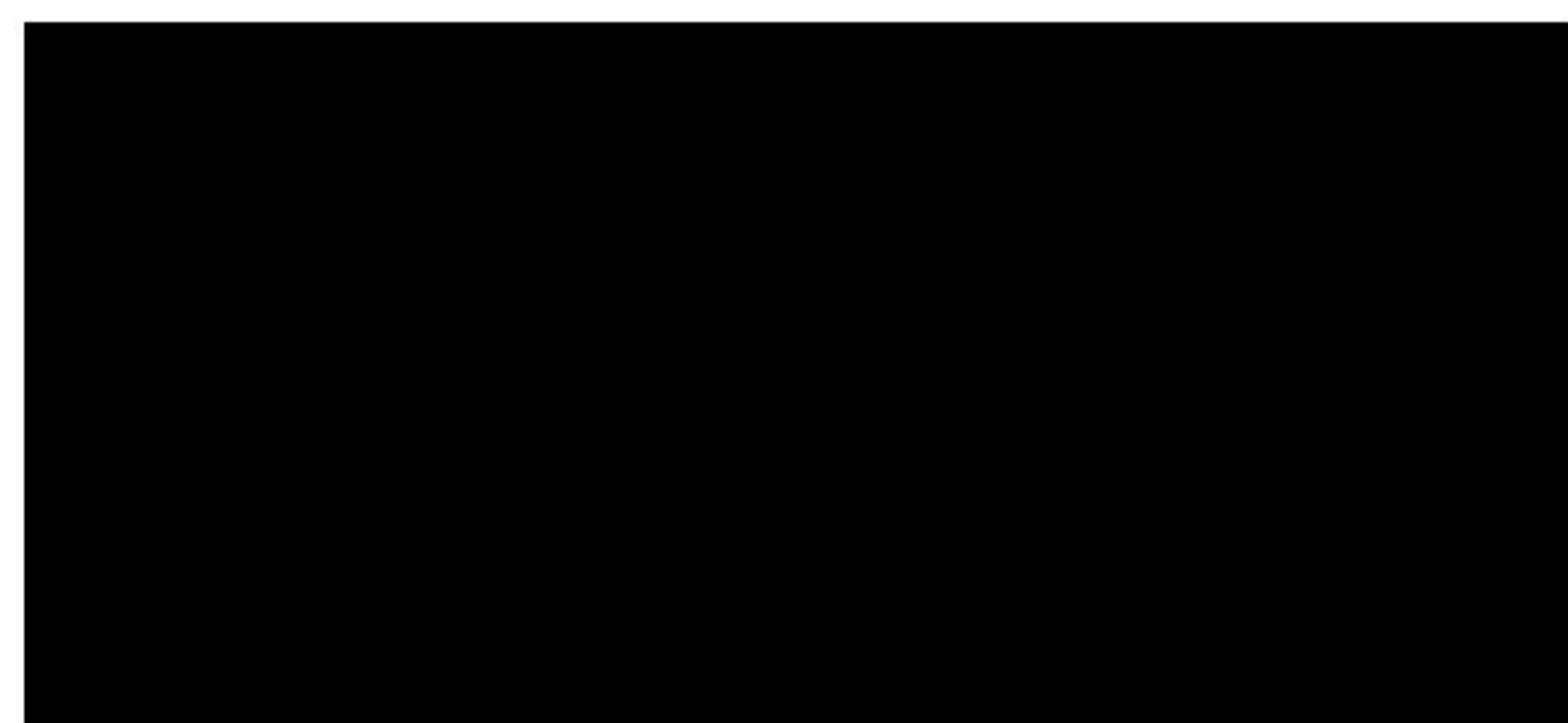
That the application be refused for the following reasons:

1. The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy as it is not considered to support the six qualities of successful places or to protect and

enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.

2. The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.
3. The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the “Distinctive” heading.
4. The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area.

Signed:



James McColl
Case Officer



Stuart Jamieson
Interim Service Director
Environment and Economic Recovery

PLANNING APPLICATION

**Proposal for a new dwelling at
Mews Lane, 92 Newark Street, Greenock PA16 7TG**

On behalf of Mr & Mrs G. Scott

DESIGN STATEMENT

**By Graeme Gerard Quigley
ARB RIAS RIBA Chartered Architect**

August 2022

quigley
1968 ARCHITECTS

1. INTRODUCTION

1.1 This document will demonstrate that our proposed dwelling to the north-east of Elmhurst, 92 Newark Street, Greenock at the junction of Mews Lane and Westfield Drive complies with Inverclyde Council's Local Development Plan 2019 and Planning Application Advice Notes;

- Policy 1 – Creating Successful Places
- Policy 6 – Low and Zero Carbon Generating Technology
- Policy 8 – Managing Flood Risk
- Policy 9 – Surface and Waste Water Drainage
- Policy 10 – Promoting Sustainable and Active Travel
- Policy 11 – Managing Impact of Development on the Transport Network
- Policy 16 – Contaminated Land
- Policy 28 – Conservation Areas
- (PAAN) 2 on Single Plot Residential Development
- (PAAN) 3 on Private and Public Open Space Provision.

1.2 This document will also demonstrate that our proposed dwelling complies with Inverclyde Council's proposed Development Plan and DRAFT Planning Application Advice Notes;

- Policy 1 – Creating Successful Places
- Policy 6 – Low and Zero Carbon Generating Technology
- Policy 9 – Managing Flood Risk
- Policy 10 – Surface and Waste Water Drainage
- Policy 11 – Promoting Sustainable and Active Travel
- Policy 12 – Managing Impact of Development on the Transport Network
- Policy 17 – Brownfield Development
- Policy 18 – Land for Housing
- Policy 20 – Residential Areas
- Policy 28 – Conservation Areas
- (PAAN) 2 on Single Plot Residential Development
- (PAAN) 3 on Private and Public Open Space Provision in New Residential Development.

1.3 Elmhurst was purchased in 2001 by our Clients who have implemented an extensive programme of sympathetic upgrading of the external and internal fabric to modern standards. (Refer to Photo no.1)



1.

- 1.4** However, because of the scale of the site (1,730m²), and in particular the rear garden bordering Mews Lane (932m²), general maintenance of garden ground proved unsustainable by modern standards.

As such, this rear garden ground has now been split between the 2 properties at 92 & 94 Newark Street, to provide generous private rear gardens of 226sqm and 158sqm respectively. The remainder of the site of 456sqm is vacant land now under a separate title, with direct access off Mews Lane.

- 1.5** Our Clients now wish to develop this vacant land in line with the pattern of historical development of Greenock's West End Conservation Area established over the past 200 years.

This historical development directly reflects the changes in lifestyles and the economies of scale where the original large mansion houses sub-divided their extensive grounds for development purposes.

In turn, new streets were formed allowing important large villas such as Bagatelle and Balclutha to be built. These large plots were then sub-divided into smaller building plots and so on leading to the rich tapestry of urban development that we see today. The conservation area has always been developing, always reflecting the architecture and social attitudes of the time.

- 1.6** With this philosophy in mind, in March 2019 we presented our 'initial design' drawings at our pre-application meeting with Inverclyde Council Planning Department indicating how the north-eastern boundary along Mews Lane (in tandem with neighbouring properties) could be sympathetically and successfully developed in line with the mews lanes of Glasgow's West End and Edinburgh's New Town Conservation Areas.

- 1.7** The Planning Officer advised in writing on 24th April 2019 that we revise our 'scheme design' to be more in keeping with the ethos of cluster ancillary buildings that exist along Mews Lane. (Refer to photos 2, 3, 4, 5, 6, 7 & 8)

- 1.8** Taking cognisance of Inverclyde Council's pre-application comments, we spent 6 months designing a bespoke one-storey dwellinghouse with direct correlation to the scale and massing of neighbouring ancillary buildings, while respecting the architectural character of the main villa.

In addition, we thought it important to acknowledge the development of Westfield Drive and the positioning of our design within its urban context.

- 1.9** It is hoped that by providing a carefully considered design solution that both preserves and enhances, our proposals can be viewed as a worthy addition to the Greenock West End Conservation Area.



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2.0 PLANNING POLICY

2.1 THE LOCAL DEVELOPMENT PLAN 2019

As the property is located within the Greenock West End Conservation Area, Inverclyde Council's Local Development Plan policies 20 and 28, Inverclyde Planning Application Advice Note No.2 and the 'Greenock West End Conservation Area Appraisal' [March 2016] in conjunction with Historic Environment Scotland's 'Policy Statement: Conservation Area Consent' [pp. 36 - 37, June 2016], will apply to the proposal.

Described as follows:

2.2 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.'

The six qualities of successful places are;

- *Distinctive*
- *safe and pleasant*
- *easy to move around*
- *welcoming*
- *adaptable*
- *resource efficient*

2.2.1 We will demonstrate that the proposed house for the vacant land fronting Mews Lane complies with all six of the points individually and collectively, namely;

Distinctive: The bespoke design is unique as it has been specifically designed for the site, making sure it is as sympathetic as possible to the surrounding urban context. The design is subtly restrained and conservative in its approach yet modern and distinctive enough to stand out from the surrounding buildings positively.

It reflects the local architecture and urban form and contributes positively to historic places.

Safe and pleasant: The one storey house faces in on itself with controlled views onto its own courtyard and private south-facing garden. An inconspicuous vehicular and pedestrian entrance for privacy so that owners feel more secluded, without the direct view from the street. Privacy and security are further maintained by walls around all boundaries softened by landscaping areas for planting and amenity.

The proposal avoids conflict with adjacent uses in respect of overshadowing, privacy and noise.

Easy to move around: Designed from the outset to be fully compliant with current building standards for accessibility all rooms, doors and corridor widths cater for all needs. In addition, there are no stairs or changes in level to restrict the end users internally or externally.

Welcoming: Providing a visual termination to Westfield Drive the 'converted ancillary buildings' narrative opens onto a hard landscaped courtyard off the street in keeping with similar mews type properties adjacent. Glazed entrance hallways maintain visual separation as well as provide clues to the private gardens that lie beyond. Internally the spaces range from enclosed and private to open plan and public depending on their proposed function.

The layout of the proposal is legible and easy to access.

Adaptable: The proposal is fully adaptable with all internal partitions non-loadbearing allowing simple manipulation of the layout. In addition, external space has been left vacant to facilitate easy extension of the property should additional space be required at a later date.

Resource efficient: Sustainability has also been at the fore-front of the design process throughout by the incorporation of renewal technologies and green design principles. Building orientation provides opportunities for solar gain and optimum placement for PV arrays while maintaining the aesthetic of the conservation area streetscape. Air source heat pumps are also discreetly placed.

In addition, the proposal makes use of previously developed land.

2.3 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.’

2.3.1 The design aims to achieve a much higher standard by ensuring at least a 50% reduction in carbon dioxide emissions through use of zero and low carbon generating technology such as solar P.V. panels, air source heat pumps, efficient gas boiler, advanced glazing, added insulation, alternative solid flue heating, solar gain and natural ventilation.

2.4 POLICY 8 – MANAGING FLOOD RISK

‘Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a) *be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);*
- b) *increase the level of flood risk elsewhere; and*
- c) *reduce the water conveyance and storage capacity of a functional flood plain.*

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.’

2.4.1 The site is not in an area with a risk of flooding, however, a drainage assessment has been undertaken by civil engineers as part of the application process and they have incorporated a soakaway within the site to ensure flood risk prevention has been considered.

2.5 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.'

2.5.1 There are existing mains connections for surface and waste water drainage available around the site and all applications to the regulatory bodies (for new mains connections) will be submitted and approved accordingly.

The proposal is compliant with the principles set out in SuDs Manual and natural flood management is allowed for in the design.

2.6 POLICY 10 – PROMOTING SUSTAINABLE AND ACTIVE TRAVEL

'Development proposals, proportionate to their scale and proposed use, are required to:

- a) *provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and*
- b) *include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.*

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

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

2.6.1 The design provides convenient, level access throughout the site. Allowance for on-site parking for 2 vehicles has also been provided as well as storage for bikes, all of which have easy, unobstructed access/egress to the property.

Electric car and bike charging points are proposed which are powered from the roof mounted solar PV arrays. In addition, battery storage is also incorporated ensuring that the development is as future proof as possible.

Easy connection is available to the National Cycle Route. Various forms of public transport i.e. buses, trains and ferries are also accessible and within close proximity to the site.

2.7 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.'

2.7.1 The development will cause no adverse impact to the existing transport and active travel network. Recommendations from Inverclyde Council's Roads Department have all been incorporated into the design to ensure that they have no objections to the proposal.

2.8 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.'

2.8.1 The land for the proposed development is not contaminated.

2.9 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.'

2.9.1 The site is vacant as it is surplus to modern day requirements. Suitable private amenity/garden space has been provided elsewhere for the existing flatted development.

The design therefore proposes the beneficial repurposing of this brownfield site. Advanced structure planting has also been shown on the proposed plans.

2.10 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.'

2.10.1 The design for a house on a brownfield site within Greenock's West End Conservation Area has no adverse impact on the delivery of the Priority Places and Projects identified as it is a single house. It also relieves pressure on greenfield development.

The sustainable nature of the design and the flexibility in layout address all aspirational aspects of a modern lifestyle. This is an accessible house, suitable for any generation.

2.11 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.' (p.23)

'7.8 Inverclyde contains many successful residential areas, and it is important for the Council's repopulation agenda that these remain attractive places to live. The Council will therefore support resident's proposals to improve their properties where these proposals do not have an unacceptable impact on their neighbours' enjoyment of their own properties, the appearance of the surrounding area or traffic and pedestrian safety. New houses will also be supported in existing residential areas where the impact on existing houses is acceptable, and the design and layout of the new houses are in keeping with their surroundings...' (p.23)

2.11.1 The design and layout of the new house has been designed specifically to be in keeping with its surroundings. It will improve the immediate area in and around the site as well as add positively to the surrounding urban streetscape generally.

2.12 POLICY 28 – CONSERVATION AREAS

'Proposals for development, within or affecting the settling of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or others information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.' (p.28)

2.12.1 The proposed site historically backed onto Mews Lane, a service lane for accessing the rear of large villas fronting Octavia Terrace and then Newark Street. (Refer to Map 1)



Map 1 from National Library of Scotland (circa 1938).

Over the years a number of important alterations have eroded Mews Lane from simply a series of boundary walls with the occasion ancillary building punctuation.

2.12.2 In the 1930s, a large villa fronting Octavia Terrace was demolished and a new street formed between Octavia Terrace and Mews Lane called Westfield Drive to facilitate the 12 semi-

detached and detached houses built as its replacement. Plot sizes, design and layout of these houses did not reflect the immediate vicinity at the time. (Refer to photos 9, 10 & 11)



9.

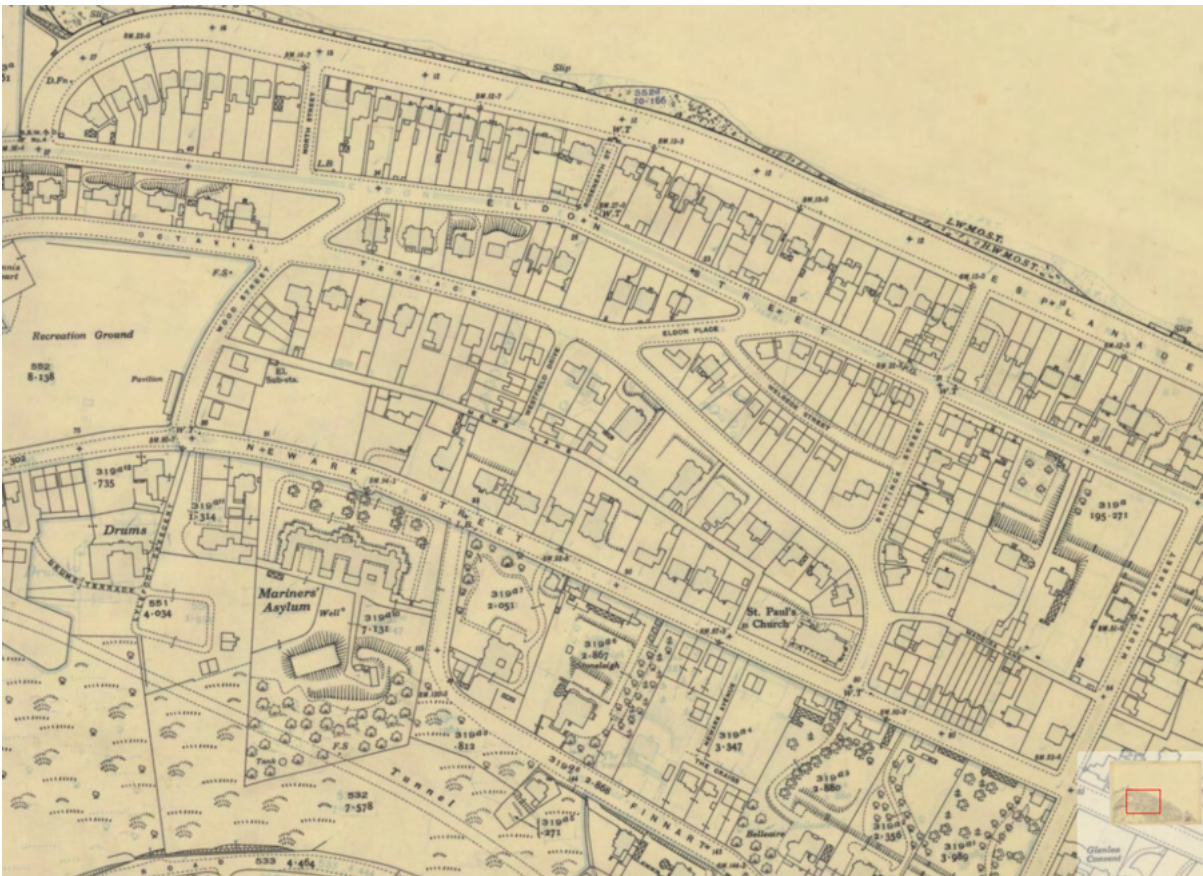


10.



11.

In addition, opening Mews Lane up visually was never addressed in terms of urban design to the detriment of the character and appearance of the conservation area. (Refer to Map 2)



Map 2 from National Library of Scotland (circa 1938).

2.12.3 Again, in the 1960s, a Council-led development of 12 houses significantly eroded the western end of Mews Lane when semi-detached and terraced housing with associated garages were introduced. (Refer to Photos 12, 13, 14 & 15)



12.



13.



14.



15.

Plots sizes, design and general layout neither preserve or enhance the character and appearance of the conservation area. (Refer to Map 3)



Map 3 from National Library of Scotland (circa 1963).

2.12.4 The new development will preserve and enhance the conservation area as it utilises vacant ground at the junction of Westfield Drive and Mews Lane to provide a visual termination through the introduction of a sympathetic house design to the main villa while respecting the scale and plot sizes of its more immediate neighbours off Westfield Drive.

Due to existing topography and the proposed massing, developing this site creates no negative impact on amenity and will bring to a close the urban design error that should have been addressed 90 years ago when Westfield Drive was formed. (Refer to photo 16.)



16.

2.13 INVERCLYDE PLANNING APPLICATION ADVICE NOTES (PAANs)

PAAN 2 - SINGLE PLOT RESIDENTIAL DEVELOPMENT

'Infill plots will be considered with reference to the following:

- *The plot size should reflect those in the immediate locality.*
- *The proportion of the built ground to garden should reflect the immediate locality.*
- *The distance between building to garden boundaries should reflect that in the immediate locality.*
- *The established street from building line should be followed.*
- *The proposed building height, roof design, use of materials and colours should reflect those in the immediate locality.*
- *Ground level window should comply with intervisibility guidance. Windows on side elevations should be avoided where they offer a direct view of neighbouring rear/private gardens, but bathroom windows fitted with obscure glazing will be acceptable. Boundary screening of appropriate height may be considered where the design and impact on neighbouring residential amenity is deemed acceptable.*
- *Windows of habitable rooms above ground level should comply with the window intervisibility guidance. Windows on side elevations will only be permitted if the distance to the nearest boundary exceeds 9.0m, if there is no direct view of neighbouring rear/private gardens or if it is a bathroom window fitted with obscure glazing.*
- *The level of on-site car parking should be comparable with the established pattern in the street and be capable of being implemented without detriment to road safety.*

Application in Conservation Areas

The Greenock West End Conservation Areas is characterised by substantial villas set in large gardens. Understandably, there has been pressure for infill residential development in these areas. Historic Environment Scotland's Policy Statement explains the Government's position. The Scottish Government requires the historic environment to be cared for, protected and enhances. Development which does not respect the scales, design and detailing of existing buildings will not generally be supported.' (p.6)

in Inverclyde Council (2018) Supplementary Guidance on PAANs.

2.13.1 The site previously formed part of a very large rear garden, which due to the unsustainable size has been legally split and now forms vacant ground redundant in use.

The site proposed for development reflects the plot size and proportion of built ground to garden reflected in the immediate locality of Westfield Drive and more generally with the flatted villa of Elmhurst.

Height, roof design, use of materials and colours of the proposal all reflect the immediate locality of ancillary buildings to the main villas, as requested by Planning.

In addition, the scale, design and detailing of the proposal reflect the ancillary buildings of Elmhurst.

3. APPLICATION SITE AND CONTEXT

3.1 CONTEXT

The application site is located within the Greenock West End Conservation Area at the junction of Mews Lane and Westfield Drive. It forms the northeast part of a larger site stretching from Newark Street to Mews Lane, which houses a large 'late Victorian' blond sandstone villa, converted ancillary buildings with extensive driveway, front and rear gardens.

The local area contains a rich and diverse variety of housing types, sizes and architectural styles developed continuously over hundreds of years from small bungalows to large detached villas, the majority of which have been sub-divided into multiple occupancy dwellings.

Elmhurst is no different. The property was separated into three flatted dwellings in 1935. The ground floor is accessed via the main door of the villa. The lower ground floor is accessed via a side door from the courtyard. The top floor is accessed separately via an external stair.

Mews Lane has a varied streetscape. The lane provides vehicular access to the Newark Street and Octavia Terrace villas as well as a number of former ancillary buildings which have been turned to houses at various locations. There are also an assortment of garages, terraced houses and off-street parking.

Mews Lane has no distinct character in the present day due to erosion of its original use as a service lane. In reality it is a ramshackle mixture of various constructions, traditional boundary walls in poor condition or removed entirely. Bushes and other growth all along reduce the traffic width and give a foreboding character at the eastern end especially with its blind corner.

There is no attraction for the general public to use the lane for amenity or commuting and when coupled with poor lighting, site lines and general dilapidation its contribution to the conservation area is minimal.

3.2 SITE

At present there are two entrances into the site. Newark Street, from the south west, is the main vehicular and pedestrian access route to the principal elevation of the flatted villa and takes users onto a large landscaped private driveway, which allows sufficient space for three vehicles to sit parallel to the property.

Mews Lane, from the north east, allows service access into the rear of the property but this historical use is redundant as all services (such as refuse collection) are taken from Newark Street.

The property holds ample garden provision for each flat with a stepped lawn falling down towards the north eastern boundary wall, which backs onto Mews Lane.

4.0 DESIGN

- 4.1** Our design process was informed by our Clients brief and the typology of buildings on Mews Lane as well as being influenced by the guidance given during pre-application discussions with Inverclyde Council Planning Department.

Our proposals comply with the Council's policies as they both preserve and enhance the Conservation area through sympathetic placement and visual congruity with the existing built environment as well as appropriate layout, size, scale, design, siting, materials and colour of finish.

Careful consideration has also been taken with the design in an effort to preserve the architectural qualities of the existing Victorian villa as well as enhancing the integrity of Mews Lane.

The concern regarding no footway is understood, which is why the house has been stepped back 1 metre from the existing boundary in order to allow a safe space to stand prior to crossing or leaving the premises on foot.

Stepping back the design also facilitates safe access/egress of vehicles and provides the visibility splay of 17 metres by 2.0 metres x 1.05 metres required by Inverclyde Council Roads Department and maintains access the service strip running along the southern edge of the lane.

It should be noted that the position of the site at the junction of Mews Lane and Westfield Drive is unique. There are several houses already on Mews Lane that are not stepped back (or able to be)

therefore have no recess or footway and visibility splays cannot be achieved.

Perhaps if this lane was more user friendly and accessible, there would have been an incentive by Inverclyde Council to provide a common footpath. As mentioned in a point previously, Mews Lane is not a pedestrian street, with many other, more convenient walking locations.

4.2 DESIGN AND MATERIALS

Sitting in mature landscaping, the proposed dwellinghouse consists of three separate buildings organised around a cobbled courtyard, which is accessed directly off Mews Lane to provide off street parking spaces of 3.0 metres x 5.5 metres for 2 vehicles, as required by Inverclyde Council Roads Department.

The courtyard is located at the head of Westfield Drive and is flanked by 1 storey buildings constructed externally in reconstituted stone with slated roofs whose pitch, eaves and block size reflect the existing architectural composition of Elmhurst. This is to ensure that the new dwellinghouse provides a termination to Westfield Drive while providing a visual link and context to the larger villa behind.

From the private gated courtyard, the buildings are linked by glazed corridors in order to ensure that they are read as three individual entities and reflect a series of ancillary buildings subservient to the main villa, as requested by Inverclyde Council Planning Department.

The different functions of these three buildings are also clearly expressed, namely;

- 4.2.1** The south building is the open plan living area consisting of a double-height 'family room' with kitchen, dining and entertaining facilities. Floor to ceiling glazing looks out and opens onto private south-facing landscaping and patio areas.
- 4.2.2** The west building is the sleeping accommodation consisting of two generous sized bedrooms with built in storage and adjacent shower room. These spaces are more private, with smaller windows looking onto controlled views.
- 4.2.3** Lastly, the east building is the functional utility and storage areas opening out and accessing the house and garden, as required. The outdoor area has access to the garden and bin store and consists of a w.c., cloak cupboard, utility room and external plant room/ garden store.

4.3 SCALE AND POSITION

Due to a thorough understanding of the surrounding context, the scale and composition of the proposed building has been carefully considered to reflect the various ancillary buildings that populate Mews Lane.

The low height, modest footprint and careful positioning of the proposal was agreed after considering a preservation of the view from the existing house. Scale, in particular has been designed in consideration of the existing Villa and surrounding properties so as not to impose on the streetscape.

We have proposed to remove the existing brick wall, the materials of which will be utilized in construction where possible, in order for the building to be placed back from the lane, this will ensure that there will be no overhangs onto the road and provide the required visibility splay.

4.4 PRIVACY AND OVERLOOKING

Consideration has also been taken so that the proposed dwelling does not overlook neighbouring properties or impact negatively on the existing amenity.

Windows face east, south and west into the proposed dwelling's private garden ground. Semi-mature trees will be planted along the new southwestern boundary to create additional privacy.

4.5 DAYLIGHT AND OVERSHADOWING

The proposed single storey dwelling will not introduce any loss of daylight or create overshadowing to any existing property in the immediate vicinity.

The new building is sited over 10 metres away from its immediate neighbours on Westfield Drive and over 20 metres away from Elmhurst. In addition, the ridge of the proposed roof is less than 1 metre higher than the existing ground floor level of the main villa so existing views are preserved.

4.6 SUSTAINABILITY

The overall sustainability of the new build is vital and this is incorporated into the design to allow people to easily adapt their home as their needs change with time.

In order to make the building zero carbon we propose to use reclaimed materials where appropriate, such as cobbles, brick and slates. For example, the courtyard will be resurfaced in second hand cobbles, the new buildings will be roofed using second hand slates to match the roofs of the existing ancillary buildings etc.

Energy efficiency is achieved through the use of high specification double-glazing throughout and floor, extra thick wall & roof insulation ensuring the new-build has low running costs.

Any disturbed soil from the site clearance will also be retained on-site for landscaping purposes. Similarly, we will keep and reuse the demolished brickwork in the construction and garden landscaping.

4.7 MAINTENANCE

The quality of materials specified will stand up well to the West Coast climate as they are traditional to the Scottish style and have been tested over the centuries. The sheltered location of the new build also will help combat adverse weathering.

These factors in tandem with a considered maintenance program will ensure the new construction's longevity and sustainability.

4.8 CONCLUSION

We are of the opinion that within contemporary society there should be allowance for the sensitive conversion of very large Victorian market garden spaces, obsolete now that food production to supply the household is not required.

This philosophy is exactly how Greenock's West End has developed over the past 200 years from the original large mansions in the countryside and the development of the street grid in the early 1800s.

There has always been a continuous sub-division of plot sizes over the centuries due to economic pressure and changes in social behaviour which, when carefully managed, has been successful and contributed to a built environment that we call the Greenock West End Conservation Area.

It is important to note that Greenock's West End was only labelled a 'conservation area' in the 1970's yet considered continuous development made the area what it is way before then so to use the argument of restricting development because it will change the character of an area is not understanding the subject matter.

Look to the adjacent Madeira Lane to see how 'service lanes' have been developed. There are many examples throughout the West End of precedent with this type of development.

Our thoroughly researched design for a new dwellinghouse is both sensitive and harmonious with the existing building, its setting and the local built environment and as such complies with Inverclyde Council's Local Development Planning Policies 20, 28 and PAAN 2.

5.0 JUSTIFICATION

- 5.1 Our Client is submitting the application in order to provide a new accessible dwellinghouse conducive to modern expectations and aspirations in the 21st century and give them the functionality of a family room with direct access and views over their private gardens to the rear of the site.

The whole project has been driven by informed Clients who insisted from the outset that the scale of the proposed house should be modest, however, that the proposed finishing materials and details have been specified to reflect a thorough understanding of the historic surroundings.

It is important to remember that Westfield Drive was constructed on the site of a former Victorian Villa and a new street formed to access Mews Lane. As such, the considered placement of our building at the head of Westfield Drive gives a termination point to the street view rather than that of a brick wall.

We believe therefore that by allowing the new 'ancillary style' building to be built on the application site it will be significantly beneficial now and for future generations by preserving and enhancing Greenock's West End Conservation Area.

The high standard of products proposed combined with the simplicity and sensitivity of the design complements the existing house and we therefore respectfully request that our detailed application for Planning Consent is granted.

DECISION NOTICE

Refusal of Planning Permission

Issued under Delegated Powers

**Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY**

Planning Ref: 22/0203/IC

Online Ref:100588620-001

***TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)REGULATIONS 2013***

**Mr G. Scott
92 Newark Street
GREENOCK
PA16 7TG**

**Quigley Architects
Graeme Quigley
The Mews
22 Forsyth Street
GREENOCK
PA16 8DT**

With reference to your application dated 15th August 2022 for planning permission under the above mentioned Act and Regulation for the following development:-

**New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping
at**

92 Newark Street, Greenock

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.
2. The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.
3. The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the "Distinctive" heading.
4. The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 2nd day of December 2022



**Mr Stuart W. Jamieson
Interim Director
Environment and Regeneration**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Democratic Services, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.

- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>

Drawing No:	Version:	Dated:
AL(0)01	Rev A	12.08.2022
AL(0)02	Rev B	30.07.2022
AL(0)03	Rev C	12.08.2022
AL(0)04	Rev B	23.07.2022
AL(0)05	Rev A	29.07.2022
AL(0)07	Rev B	27.07.2022
AL(0)08	Rev B	27.07.2022
AL(0)09	Rev B	06.08.2022
AL(0)10	Rev B	10.08.2022
AL(0)11	Rev B	09.08.2022
AL(0)12	Rev B	05.08.2022
137157		19.02.2020

REPORT OF HANDLING

Report By: Carrie Main

Report No: 22/0203/IC

**Local Application
Development**

**Contact
Officer:** 01475 712413

Date: 11 November 2022

Subject: New build, 2 bedroom, one storey detached house (fronting Mews Lane) with associated hard and soft landscaping at
92 Newark Street, Greenock

SITE DESCRIPTION

The application site comprises a substantial sub-divided villa and associated curtilage situated on the northern side of Newark Street, Greenock. Mews Lane, at its junction with Westfield Drive, lies to the rear. Externally the existing building is finished in sandstone and a slate roof. The site slopes down gently to Mews Lane.

A wide variety of dwellings and flatted dwellings lie adjacent to the site on Newark Street, Westfield Drive, and Octavia Terrace. The former Mariners Home building lies diagonally opposite on Newark Street. The site is within the Greenock West End Conservation Area.

PROPOSAL

It is proposed to sub-divide the rear curtilage and construct a detached, single storey dwellinghouse fronting Mews Lane. The new plot will extend to an area of 456 square metres and the proposed dwellinghouse to an external footprint of around 185 square metres. Accommodation will comprise an open plan kitchen and family room, two bedrooms, a shower room, a utility room and an external store. Two off-street parking spaces are proposed within a courtyard area.

The proposed dwelling will be single storey and be designed in three distinct parts linked around the small courtyard area. The existing boundary wall to Mews Lane will be removed and the proposed dwellinghouse finished externally in reconstituted stone and a slate roof to a height of around 4.8 metres and with a pitch and detailing to reflect the existing villa. The three components of the building will be linked by small glazed corridors. A gate will enclose the courtyard to Mews Lane.

The applicant has submitted a design statement in support of the proposal.

Planning permission was refused in June 2021 (application 19/0327/IC) for “New build one storey detached house (fronting Mews Lane) with associated hard and soft landscaping.” This application presents the same proposal, with minor additions to incorporate low and zero carbon generating technology; including solar PV panels to the rear roof slopes of the house, an air source heat pump and electric charging points.

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 8 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- a be at significant risk of flooding; (i.e. within the 1 in 200 year design envelope);
- b increase the level of flood risk elsewhere; and
- c reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood protection schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the green network, historic buildings and places, and the transport network.

Policy 9 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 3rd edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and
- ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate.

Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively.

Developments including SuDS are required to have an acceptable maintenance plan in place.

Policy 10 - Promoting Sustainable and Active Travel

Development proposals, proportionate to their scale and proposed use, are required to:

- a provide safe and convenient opportunities for walking and cycling access within the site and, where practicable, include links to the wider walking and cycling network; and
- b include electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance.

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

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

Policy 11 - Managing Impact of Development on the Transport Network

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

Policy 16 - Contaminated Land

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

Policy 28 - Conservation Areas

Proposals for development within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area. Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies

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.

*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 - Managing Flood Risk

Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy. Proposals must demonstrate that they will not:

- o be at significant risk of flooding (i.e. within the 1 in 200 year design envelope);
- o increase the level of flood risk elsewhere; and
- o reduce the water conveyance and storage capacity of a functional flood plain.

The Council will support, in principle, the flood risk management schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

Policy 10 - Surface and Waste Water Drainage

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters.

The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 4th edition, or any successor documents.

Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if:

- 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, 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:

- o provide safe and convenient opportunities for walking and cycling access within the site V and, where practicable, including links to the wider walking, cycling network and public transport network; and
- o 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 28 - Conservation Areas

Proposals for development, within or affecting the setting of a conservation area, are to preserve or enhance the character and appearance of the area. In assessing such proposals regard will be had to any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area.

Where the demolition of an unlisted building is proposed, consideration will be given to the contribution the building makes to the character and appearance of the conservation area. If such a building makes a positive contribution to the area, there will be a presumption in favour of retaining it. Applicants should demonstrate that every reasonable effort has been made to secure the future of the building. Proposals for demolition will not be supported in the absence of a planning application for a replacement development that preserves or enhances the character and appearance of the conservation area.

Draft Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" applies

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 –

1. Parking should be provided in accordance with the National Guidelines:
The application is for a 2 bedroom dwelling. This requires 2nr parking spaces.
2. The parking spaces shall be a minimum of 3.0m by 5.5m. The parking is acceptable.
3. The courtyard should be fully paved.
4. The gradient of the courtyard should not exceed 10%.
5. The visibility splay should be a minimum of 2.0m x 17.0m x 1.05m. The visibility splay shown meets this requirement.
6. The surface water flow from the site should be limited to that of greenfield flow off. The applicant should demonstrate through calculations that this is achievable. This should be agreed with the Roads Service.

Head of Public Protection and Covid Recovery (Environmental Health) – Conditions recommended in respect of contaminated land, bin storage, external lighting and sound insulation complying with Building Standards Regulations are recommended.

PUBLICITY

The application was advertised in the Greenock Telegraph on 26th August 2022 as a development affecting a conservation area.

SITE NOTICES

A site notice was posted on 26th August 2022 for development affecting a conservation area.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. Ten representations were received objecting to the proposal. The concerns raised are summarised below.

Design and impact on the impact on the Conservation Area concerns

- Adverse impact on the form and character of area.
- A negative impact on the appearance of the street will result.
- The development is inappropriate for the conservation area location.
- Detriment to this unique route within north-west character area of the conservation area.
- If approved, similar development may occur completely changing the character and appearance of the street.
- The new text on the plans is off-topic to the application. Changes noted are before 1970s and thus the point of the Conservation Area is to protect the remaining character.
- The wall is of high amenity value and marks the end of Westfield. The house would form a 5m structure, a visible and intrusive addition to the streetscape.
- The development would be a contravention of Historic Environment Scotland's Policy on back land development. It does not respect the scale and size of existing outbuildings and gardens.
- Removal of part of the traditional boundary wall, a historic and aesthetic of the local area, should be preserved.
- The buildings on Mews Lane within the Design Statement are not new build but original buildings and former outbuildings that have been converted and their footprints not increased in size.

Roads and traffic related issues

- The lane has been mischaracterised. It is busy and enjoyed by many residents and walkers.
- The proposal may increase traffic adjacent to the junction with Westfield Drive, to the detriment of road safety.
- Construction works and traffic will impact on road safety.
- There is no provision for visitor parking which may cause additional on-street parking to occur causing access/egress problems.
- Would add to parking problems on Westfield Drive.
- Mews Lane serves a variety of traffic and full access must be retained both during and on completion of the works. The proposal may result in parking and the blocking of the road.
- Will hamper access/egress for emergency, utility, delivery vehicles and all surrounding buildings.
- It will make the lack of pavement on Mews Lane unsafe.

Residential amenity concerns

- May set an unwelcomed precedent for similar development
- Loss of peacefulness
- Already utility issues for existing housing. An additional house would exacerbate these issues.
- The proposal may exacerbate existing drainage issues and flooding to neighbouring properties may occur. This hasn't been considered within the application.
- Mews Lane is a low traffic amenity, with foliage and wildlife. It is enjoyed by local residents. This may be disrupted by this development.
- Daylight and sunlight to adjacent residents may be reduced.
- Privacy of adjacent residents reduced.

Other matters

- Reasons for previous planning refusal have not been addressed in this application.
- The applicant cites not being able to manage the large rear garden as a justification for the proposal. This is disingenuous as a reason as there are other solutions to this.
- The site is described as "vacant ground" and "unsustainable" which is untrue and is a key component of the urban form of the area.

I will address these concerns within my assessment.

ASSESSMENT

The material considerations in the assessment of this application are national planning policy inclusive of Scottish Planning Policy (SPP), the adopted 2019 Inverclyde Local Development Plan, the proposed 2021 Inverclyde Local Development Plan, adopted and draft Planning Application Advice Notes (PAAN) 2 and 3 on "Single Plot Residential Development" and "Private and Public Open Space Provision in New Residential Development" respectively, Historic Environment Scotland's Historic Environment Policy for Scotland and "Managing Change in the Historic Environment" guidance note series, the Greenock West End Conservation Area Appraisal, the visual impact, the impact within the Conservation Area, the impact on residential amenity, the consultation responses, the representations received and the planning history within the site and surrounding area.

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

Policy 28 of the adopted and proposed Local Development Plan advises that proposals for development within a conservation area require to preserve or enhance the character and appearance of the area. It is further advised that in assessing such proposals any relevant Conservation Area Appraisals or other information relating to the historic or architectural value of the conservation area requires to be considered. Policy 1 of both Plans requires all development to have regard to the six qualities of successful places. The relevant factors in respect of this development contributing to the qualities of successful places are being "Distinctive" in reflecting local architecture and urban form and contributing positively to historic places, being "Resource Efficient" in making use of previously developed land, being "Safe and Pleasant" in avoiding conflict with adjacent uses in respect in respect of overshadowing, privacy and noise and "Welcoming" in making buildings legible and easy to access. Policy 18 of the proposed Plan supports new housing development on the sites identified in Schedule 3, and on other appropriate sites within residential areas and town and local centres. This site is not identified in Schedule 3. Policy 20 of the proposed Plan additionally requires development within residential areas to be assessed with regard to impact on the amenity, character and appearance of the area.

Historic Environment Scotland's "Managing Change in the Historic Environment" guidance note on "Setting" advises that setting can be important to the way in which historic places are understood, appreciated and experienced, and provides guidance on factors to be considered in assessing the impact of a change on the setting of a historic asset or place. The Greenock West End Conservation Area Appraisal identifies the application site as being within the north-west character area of the Conservation Area which was largely developed in the later decades of the 19th century. The property style is predominantly detached and semi-detached villas set back from the street and set in garden grounds and these became more elaborate in their architectural detail and larger in size as the century progressed. It is noted that on Newark Street, a group of large mansions provide a setting context for the Mariners Home. The Appraisal goes on to advise that in assessing planning applications, the Council shall consider them in relation to the relevant Local Development Plan. The Appraisal is not generally supportive of new development within existing plots and notes that new development should follow existing plot ratios.

PAAN2 on "Single Plot Residential Development" offers guidance on infill plots. It is noted in the guidance that small developments are often beneficial in removing derelict and untidy sites from the streetscene. The site currently functions as a domestic garden and does not appear as an untidy or derelict site within the streetscape. In any case, to Mews Lane it is enclosed by a large boundary wall which screens views to the garden from the public domain. Whilst the applicant contends that the general maintenance of garden ground for the existing property is unsustainable by modern standards, I do not consider that this would alone provide justification for the development. PAAN2 goes on to advise that infill development should have a plot size and proportion of built ground to garden reflecting the immediate locality. The distance to garden boundaries should also reflect the immediate locality together with the established street front building line. Height, roof design, use of materials and colours should also reflect the immediate locality. PAAN3 offers similar advice in respect of the development of single plots. PAAN2 provides additional advice on proposals within conservation areas referencing national policy and guidance. It is advised that development which does not respect the scale, design and detailing of existing buildings will not generally be supported.

The principle of the plot size, coverage and footprint of the proposed house can be considered in the context of a varied arrangement of plots within the vicinity and it could be argued that alone, the plot size and built proportion is not out of step with the wider locality. Equally, I note the proposed design concept and detailing which seeks to respond to the location of the development. However, the proposal would result in the subdivision of the plot of one of the large villas on Newark Street which would be at odds with the wider pattern of development within this part of the Conservation Area where the predominant building pattern centres around large villas in spacious plots set out along Newark Street or Octavia Terrace with rear service entrances from Mews Lane.

In the submitted design statement, the applicant considers that allowance should be made for the appropriate conversion of very large Victorian market garden spaces which have become obsolete and that this philosophy follows how Greenock's West End has developed over the past 250 years, from the original large mansions in the countryside and the development of the street grid in the early 1800s. It is contended that there has always been a continuous subdivision of plot sizes over the centuries due to economic pressure and changes in social behaviour which, when carefully managed, has been successful and contributed to a built environment that we call the Greenock West End Conservation Area. It is further highlighted by the applicant that continuous development made the area what it is prior to the designation of the Conservation Area and to use the argument of restricting development because it will change the character of an area is not understanding the subject matter. How the nearby Madeira Lane has developed is also highlighted.

Mews Lane largely takes the form of a rear access or service lane and was not designed to provide the principle access to residential dwellings. Whilst there may be a varied visual appearance along the Lane together with sporadic development, it remains that Mews Lane takes the form of a sparsely developed rear service lane. It is acknowledged that there are some residential properties that have been developed over time which both front and access to the Lane. These appear to have been formed from outbuildings or stables to the rear of the larger plots rather than being completely new build developments. Other dwellings on Mews Lane are more historical, they are very few in number and remain an incidental feature not out of context with the sparsely developed pattern in the Lane. In respect of the planning history within Mews Lane, planning permission was refused in 2003 to develop a new dwellinghouse fronting Mews Lane to the rear of one of the large villas at 84 Newark Street. In principle the proposal was considered to conflict with the established character, pattern of development in the area and increase in built density. Overall, it was not considered to protect or enhance the Conservation Area. Whilst some time has elapsed since this decision and whilst each application requires to be considered on individual merit, it is appropriate that the Council takes a consistent approach to decision making where the circumstances have not significantly changed in the intervening period.

There is no dispute with the applicant's position that regardless of the Conservation Area designation, development cannot "stand still" and the area must evolve. Many examples of where appropriate development has been achieved, allowing the area to evolve and preserving and enhancing the Conservation Area can be found. However, in accordance with SPP, development cannot be at any cost. Throughout the evolution of the area, Mews Lane has remained as a sparsely developed service lane and any new development must accord with the prevailing form of historic development including the overall historic layout. This proposal would sub-divide one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane. Whilst it remains that each application would require to be considered on individual merit, this is also not a unique site. If other similar sites along Mews Lane were developed in a similar fashion, these would all combine to very significantly alter the Lane.

I further note the reference to Madeira Lane and how this has evolved as a similar rear service lane. In visiting this Lane, I found a similar, albeit shorter, sparsely developed rear service lane. Whilst new development has occurred within the curtilage of one building, I do not find this provides any justification for development at Mews Lane. It cannot be considered that the development would preserve or enhance the Conservation Area as required by Policy 28 of the adopted and proposed Local Development Plans. In respect of the factors contributing to successful places, it therefore cannot be held that the proposal reflects local urban form and contributes positively to historic places. The proposal thus fails under the "Distinctive" heading and is thus not supported by Policy 1 of both the adopted and proposed Local Development Plans.

Turning to residential amenity, any development project will produce noise and an element of disruption during the construction phase and this cannot be a determining factor in consider whether to grant planning permission: this is a matter controlled by legislation under the auspices of the Head of Public Protection and Covid Recovery. It is recognised that the neighbouring residents have an established level of amenity. The position and scale of the proposed dwelling together with the

proposed fenestration do not raise any concerns regarding the potential for overlooking and loss of privacy to neighbouring dwellings. The single storey design together with the topography within the site and proposed landscaping within the new plot further limits the potential for any impact on the donor house. Whilst I note the concerns in the representations, the positioning and limited height of the building further ensures that there are no implications in respect of sunlight and daylight to neighbouring property. The noise and activity generated by the new dwellinghouse would be typical of that emanating from a domestic setting and I do not therefore consider that undue noise disturbance to neighbouring residents, including within the donor house, would occur.

The proposed house is within an accessible urban location a short walk from local bus services. There are no implications with respect to Policy 10 of the adopted Plan and Policy 11 of the proposed Plan. A range of traffic and road safety concerns have been raised in the representations. With regard to parking, traffic and road safety, I am principally guided by the advice from the Head of Service - Roads and Transportation. Parking is provided in accordance with the National Roads Development Guidance and the dimensions of the driveway follow the advice given in the consultation response. A suitable driveway gradient can also be achieved. A condition can ensure the first two metres of the courtyard is paved if required. The requirements of Policy 11 of the adopted Local Development Plan and Policy 12 of the proposed Local Development Plan are therefore met.

Turning to flooding and drainage, the Head of Service - Roads and Transportation advises that the surface water flow from the site should be limited to that of greenfield flow off and the applicant should demonstrate this is achievable through calculations. The applicant proposes a solution involving a soakaway within the site and the Head of Service - Roads and Transportation is happy with this approach, subject to a final drainage drawing and surface water being contained within the site. These matters can be addressed by condition if required. The proposal is acceptable with reference to Policies 8 and 9 of the adopted Plan and policies 9 and 10 of the proposed Plan.

Considering the outstanding points raised in the consultation responses, the Head of Public Protection and Covid Recovery raises no objections in respect of the proposal. I am satisfied that matters in respect of ground contamination can be addressed by condition. In this respect, I consider that the proposals comply with the requirements of Policy 16 of the adopted Plan and Policy 17 of the proposed Plan in respect of ground contamination. Matters relating to external lighting can be addressed by advisory note and compliance with the Building (Scotland) Regulations is addressed via the building warrant process. Bin storage arrangements are shown on the proposed site plan.

As an element of design, Policy 6 of the adopted Plan also seeks to ensure that all new buildings are energy efficient through the installation of low and zero carbon generating technologies and 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. Policy 6 of the proposed Plan reflects the updated position with a 20% requirement. This requirement can be addressed by condition if required.

Overall, whilst the proposal may be situated on a site within an accessible urban location, a number of concerns arise. Regardless of the detail of the design which it is acknowledged seeks to respond to the location, the proposal would sub-divide one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane. This cannot be considered to preserve or enhance the Conservation Area as required by Policy 28 of the adopted and proposed Local Development Plans. The proposal also fails to reflect the six qualities of successful places and is thus not supported by Policy 1 of both the adopted and proposed Local Development Plans. Considering the principles of sustainable development in respect of paragraph 29 of SPP, the proposal fails in respect of two of these as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. The proposal is thus not sustainable development with reference to SPP and thus not the right development in the right place. The proposal also fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area

In conclusion, Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended) requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal cannot be held to accord with the Development Plan and in reviewing the application together with the applicant's position set out in the supporting statement, it is concluded that there are no material considerations to indicate that the application should be considered favourably.

RECOMMENDATION

That the application be refused for the following reasons:

1. The proposal fails to accord with the principles set out in paragraph 29 of Scottish Planning Policy as it is not considered to support the six qualities of successful places or to protect and enhance the historic environment. Accordingly, it cannot be concluded that the proposal constitutes sustainable development.
2. The proposal, by virtue of the sub-division of one of the large plots which characterise this part of the Conservation Area and introduce an additional built form to Mews Lane contrary to its historic and continued development as a sparsely developed rear service lane, fails to preserve or enhance the Greenock West End Conservation Area contrary to the requirements of Policy 28 of both the 2019 adopted Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan.
3. The proposal fails to have regard to the six qualities of successful places as required by Policy 1 of both the adopted 2019 Inverclyde Local Development Plan and proposed 2021 Inverclyde Local Development Plan, specifically as it fails to reflect local urban form and contribute positively to historic places under the "Distinctive" heading.
4. The proposal fails to follow the advice and guidance within paragraph 8.2 of the Greenock West End Conservation Area Appraisal which highlights a presumption against development within the original plots in the Conservation Area.

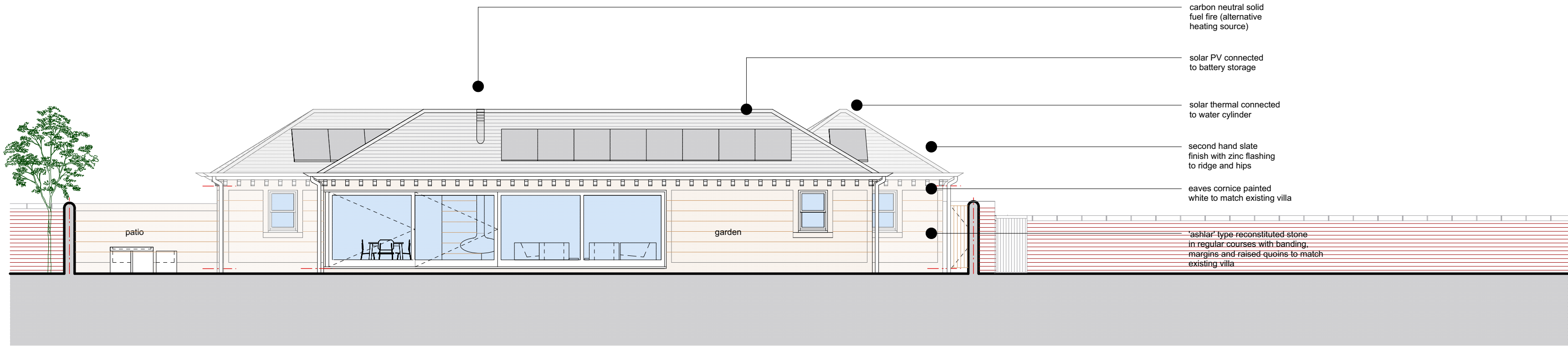
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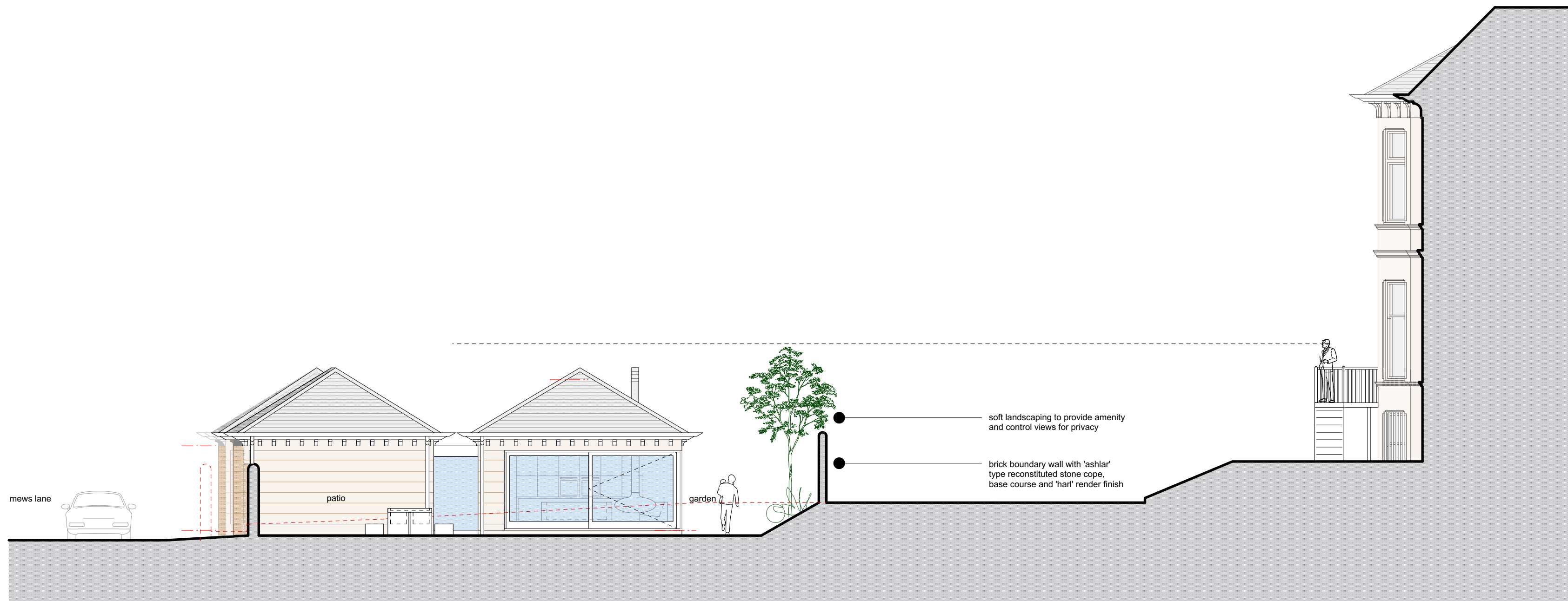
Carrie Main
Case Officer



Mr Stuart W Jamieson
Interim Director
Environment and Regeneration



south west elevation



north west elevation

GENERAL NOTES.

1.1 - All works to be carried out in accordance with current (per date of this drawing or latest drawing revision) BUILDING (SCOTLAND) REGULATIONS, Codes of Procedure, Health and Safety and CDM Regulations 2007 Legislation (where applicable).

1.2 - All materials and products to be new unless otherwise stated and to be in accordance with all relevant British Standards and fixed/used only for their intended purpose to manufacturer's written or printed instructions. Alternative products to those specified must not be used unless with written consent of the ARCHITECT.

1.3 - The Contractor is responsible for the location of existing services on site and for maintaining supply as required during the contract period.

1.4 - All dimensions to be checked on site by the Contractor prior to commencement of works and ordering of materials and any discrepancies MUST be reported to the ARCHITECT.

1.5 - Figured dimensions only to be used from these drawings unless otherwise stated. All dimensions are in millimetres.

1.6 - All Electrical Works to be carried out and located in strict accordance with STANDARD 4.5 (BS 7671:2011 IEE Wiring Regulations 17th Edition), STANDARD 4.6 and 4.8.5. All electrical cabling in contact with insulation on external walls to be enclosed in conduit. Electrical contractor to be SELECT or NICEIC approved.

1.7 - All timber to be pre-treated and all ends to be treated using indicator treatment.

1.8 - See appointed Structural Engineer's drawings for opening details and all relevant structural materials.

1.9 - All ventilation to be in accordance with CIBSE Guide Section B2 and in full conformity with STANDARD 3.14 BUILDING (SCOTLAND) REGULATIONS 2010.

1.10 - All structural members throughout new construction to receive fire protection in strict accordance with technical standard 2.3 (fire protection). Intumescent paint applied to all steelwork providing 60mins fire resistance where required & 60mins fire resistance to all structural/loadbearing timber walls. Layer plasterboard finish to comply.

1.11 - All glazing to conform to STANDARD 4.8.2 (Collision with glazing), BS 6262: Part 4: 2005, STANDARD 4.8.3 (Cleaning of windows and rooflights) & STANDARD 4.8.4 (Guarding of windows for cleaning), BS 6180: 1999.

1.12 - All rooms where changing purpose to comply with all ventilation requirements regarding STANDARD 3.14 BUILDING (SCOTLAND) REGULATIONS 2010.

1.13 - Leadwork to be laid in accordance with BS 5250 and 6229, BSEN 12588:2006 and as per the details in 'Rolled Lead Sheet The Complete Manual' produced by the Lead Sheet Association. Contractor to ensure timbers, substrate, underlay and insulation to dormer to be kept dry and protected from the elements during construction to prevent material deterioration.

THIS IS THE ORIGINAL/A TRUE COPY OF THE DRAWING REFERRED TO IN THE APPLICATION FOR PLANNING / BUILDING WARRANT

DATED.....

SIGNED.....

QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Planning Amendments	09.08.22
A.	Planning Amendments	30.03.20

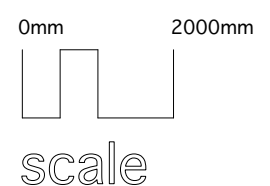
Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

Title. Elevations as proposed

Drg. No. 1729/AL(0)11 **Date.** 19.07.19

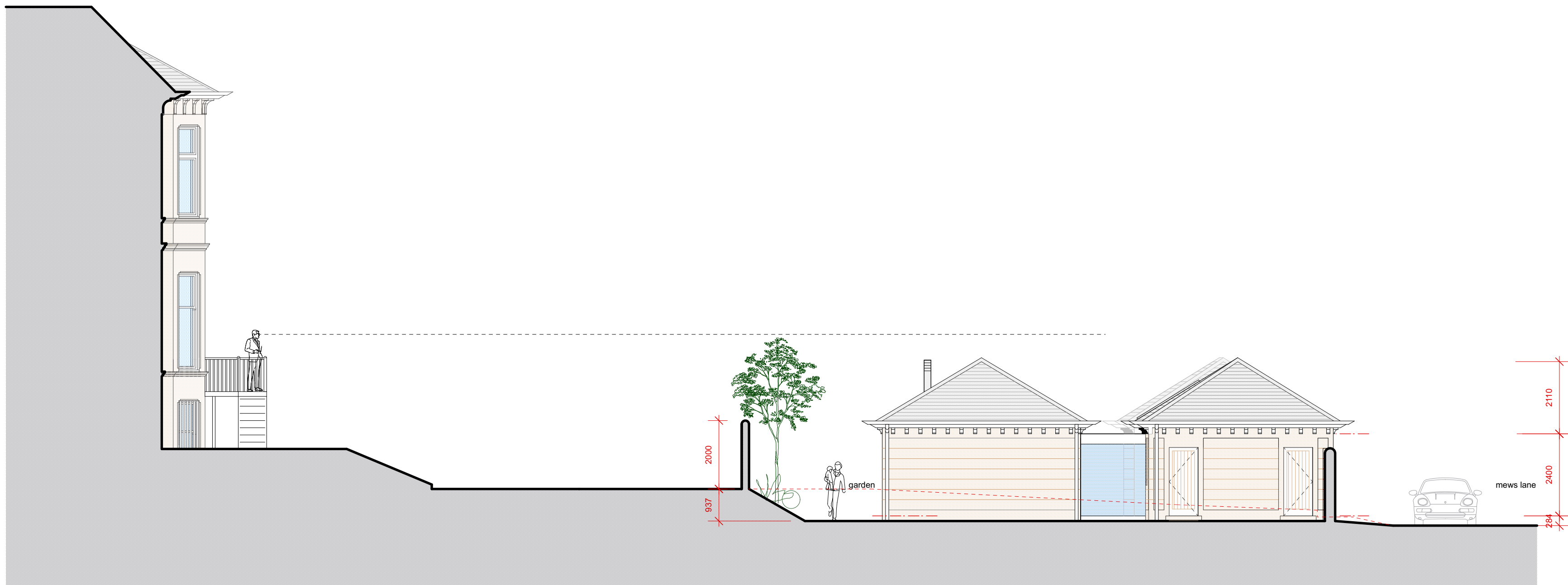
Scale. 1:100 **Drawn.** GQ



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The Mews, 22 Forsyth Street, Greenock PA16 8DT



north east elevation



south east elevation

GENERAL NOTES.

- 1.1 - All works to be carried out in accordance with current (per date of this drawing or latest drawing revision) BUILDING (SCOTLAND) REGULATIONS, Codes of Procedure, Health and Safety and CDM Regulations 2007 Legislation (where applicable).
- 1.2 - All materials and products to be new unless otherwise stated and to be in accordance with all relevant British Standards and fixed/used only for their intended purpose to manufacturer's written or printed instructions. Alternative products to those specified must not be used unless with written consent of the ARCHITECT.
- 1.3 - The Contractor is responsible for the location of existing services on site and for maintaining supply as required during the contract period.
- 1.4 - All dimensions to be checked on site by the Contractor prior to commencement of works and ordering of materials and any discrepancies MUST be reported to the ARCHITECT.
- 1.5 - Figured dimensions only to be used from these drawings unless otherwise stated. All dimensions are in millimetres.
- 1.6 - All Electrical Works to be carried out and located in strict accordance with STANDARD 4.5 (BS 7671:2011 IEE Wiring Regulations 17th Edition), STANDARD 4.6 and 4.8.5. All electrical cabling in contact with insulation on external walls to be enclosed in conduit. Electrical contractor to be SELECT or NICEIC approved.
- 1.7 - All timber to be pre-treated and all ends to be treated using indicator treatment.
- 1.8 - See appointed Structural Engineer's drawings for opening details and all relevant structural materials.
- 1.9 - All ventilation to be in accordance with CIBSE Guide Section B2 and in full conformity with STANDARD 3.14 BUILDING (SCOTLAND) REGULATIONS 2010.
- 1.10 - All structural members throughout new construction to receive fire protection in strict accordance with technical standard 2.3 (fire protection), intumescent paint applied to all steelwork providing 60mins fire resistance where required & 60mins fire resistance to all structural/loadbearing timber walls. Layer plasterboard finish to comply.
- 1.11 - All glazing to conform to STANDARD 4.8.2 (Collision with glazing), BS 6262: Part 4: 2005, STANDARD 4.8.3 (Cleaning of windows and rooflights) & STANDARD 4.8.4 (Guarding of windows for cleaning), BS 6180: 1999.
- 1.12 - All rooms where changing purpose to comply with all ventilation requirements regarding STANDARD 3.14 BUILDING (SCOTLAND) REGULATIONS 2010.
- 1.13 - Leadwork to be laid in accordance with BS 5250 and 6229, BSEN 12588:2006 and as per the details in 'Rolled Lead Sheet The Complete Manual' produced by the Lead Sheet Association. Contractor to ensure timbers, substrate, underlay and insulation to dormer to be kept dry and protected from the elements during construction to prevent material deterioration.

THIS IS THE ORIGINAL/A TRUE COPY OF THE DRAWING REFERRED TO IN THE APPLICATION FOR PLANNING / BUILDING WARRANT

DATED.....

SIGNED.....

QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Planning Amendments	10.08.22
A.	Planning Amendments	01.04.20

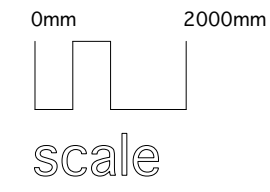
Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

Title. Elevations as proposed

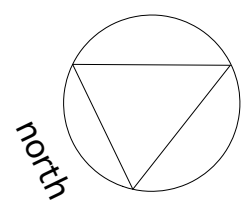
Drg. No. 1729/ AL(0)10 **Date.** 19.07.19

Scale. 1:100 **Drawn.** GQ



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 The Mews, 22 Forsyth Street, Greenock PA16 8DT

NEWARK STREET



0mm 2000mm
scale

GENERAL NOTES.

- 1.1 - All works to be carried out in accordance with current (per date of this drawing or latest drawing revision) BUILDING (SCOTLAND) REGULATIONS, Codes of Procedure, Health and Safety and CDM Regulations 2007 Legislation (where applicable).
- 1.2 - All materials and products to be new unless otherwise stated and to be in accordance with all relevant British Standards and fixed/used only for their intended purpose to manufacturer's written or printed instructions. Alternative products to those specified must not be used unless with written consent of the ARCHITECT.
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- 1.11 - All glazing to conform to STANDARD 4.8.2 (Collision with glazing), BS 6262: Part 4; 2005, STANDARD 4.8.3 (Cleaning of windows and rooflights) & STANDARD 4.8.4 (Guarding of windows for cleaning), BS 6180: 1999.
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DATED: _____
SIGNED: _____
QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Planning Amendments	06.08.22
A.	Planning Amendments	26.03.20

Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

Title. Roof Plan as proposed

Drg. No. 1729/ AL(0)09 Date. 18.07.19

Scale. 1:100 Drawn. GQ



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a.

MEWS LANE

b.

WESTFIELD DRIVE

a.

solar PV connected to battery storage

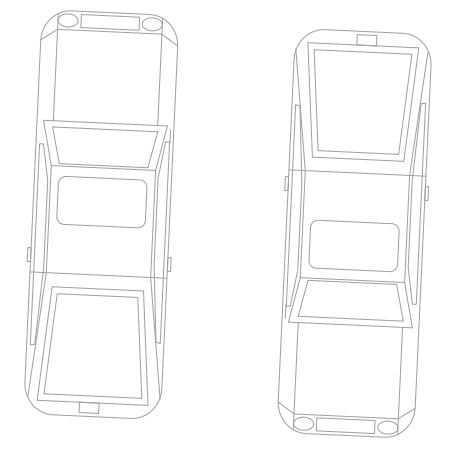
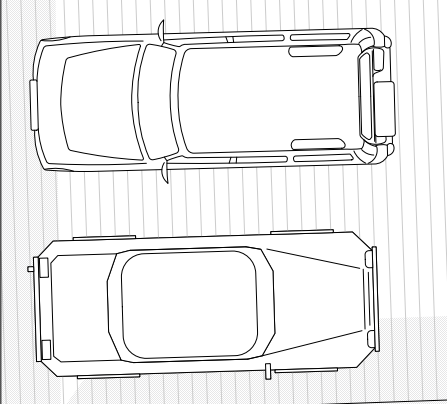
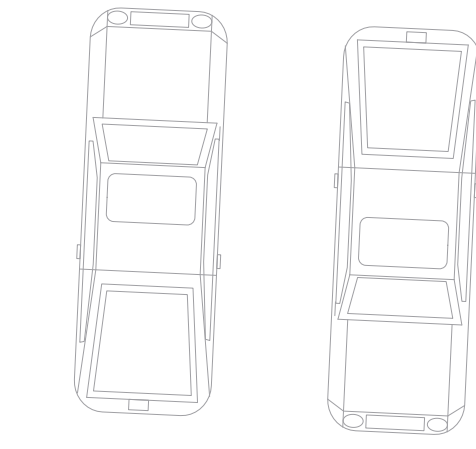
second hand slate finish with zinc flashing to ridge and hips

solar PV connected to battery storage

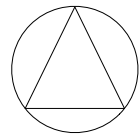
solar thermal connected to water cylinder

second hand slate finish with zinc flashing to ridge and hips

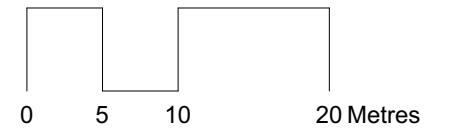
b.



roof plan



north



scale

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 BUILDING WARRANT

DATED.....

SIGNED.....

QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Planning Amendments	27.07.22
A.	Planning Amendments	01.04.20

Project. Proposed Development @
 92 Newark Street
 Greenock

Client. Mr & Mrs Scott

Title. Site Plan as
 proposed

Drg. No. 1729/ AL(0)07 **Date.** 22.07.19

Scale. 1:500 **Drawn.** GQ



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site plan

226154 226200 226296

677641 677600 677515



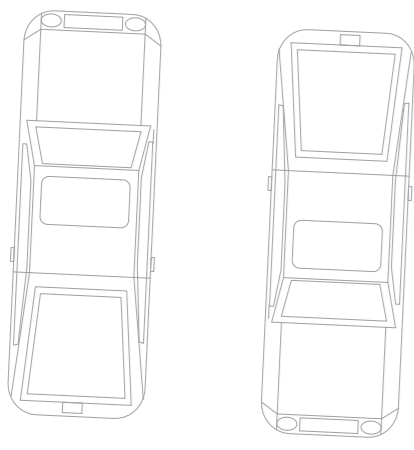
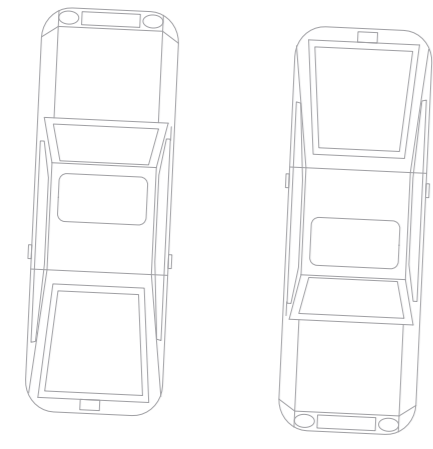
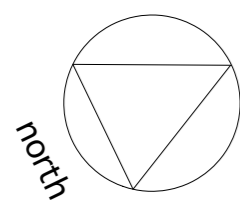
28.6m

Letter Box

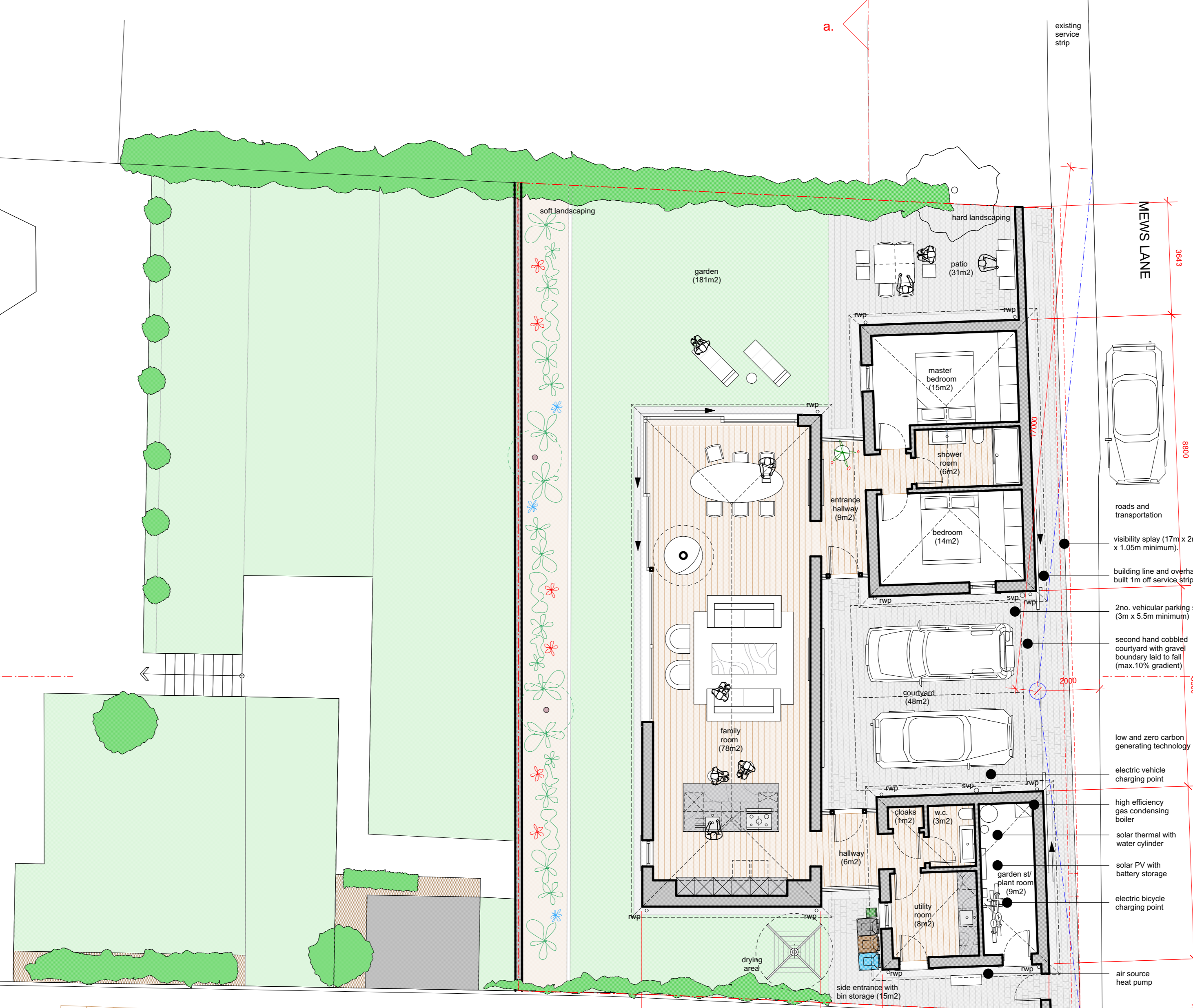
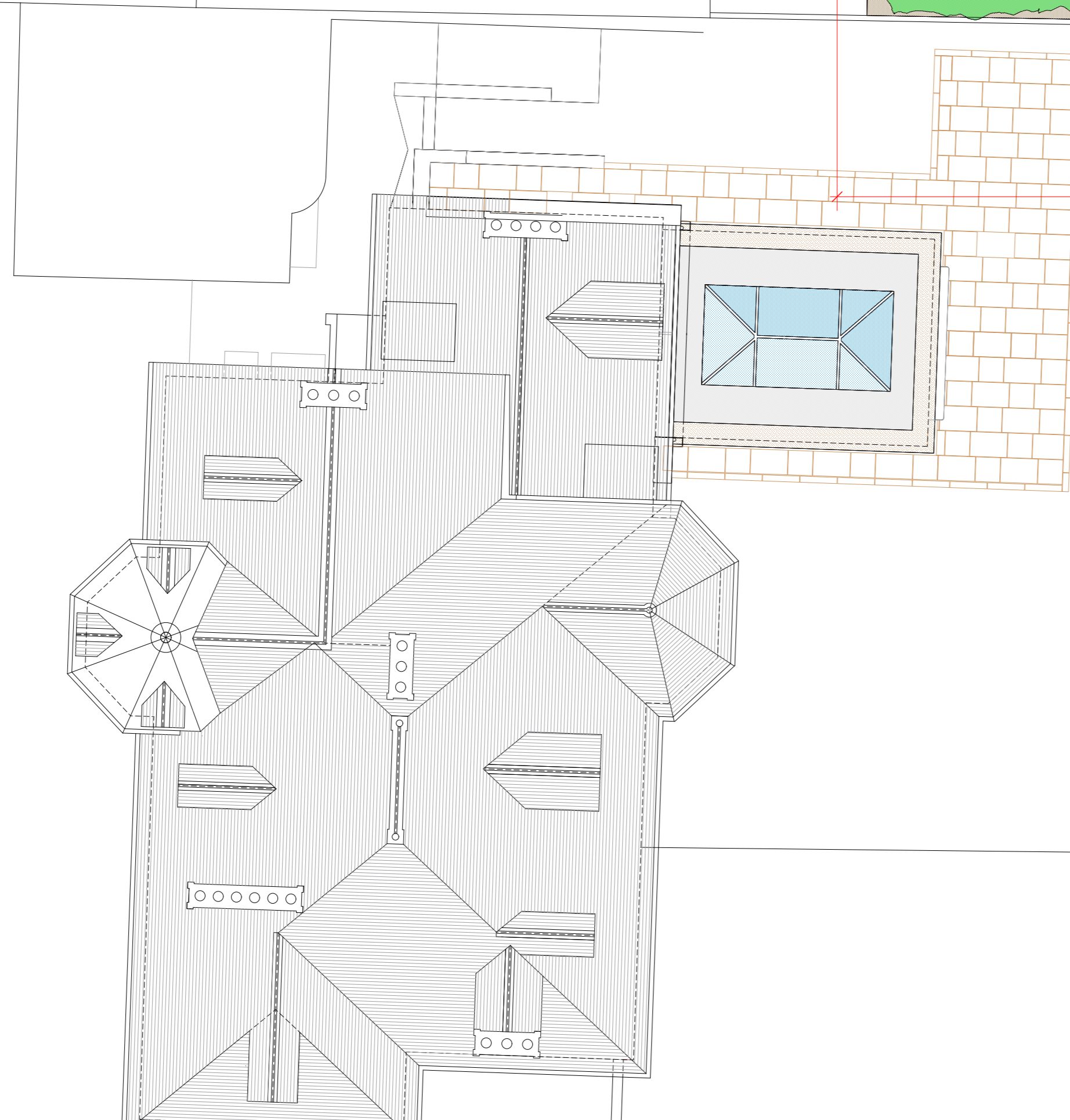
170

226200

226296



roof plan



- GENERAL NOTES.**
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SIGNED: QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Planning Amendments	27.07.22
A.	Planning Amendments	27.03.20

Project: Proposed Development @ 92 Newark Street Greenock

Client: Mr & Mrs Scott

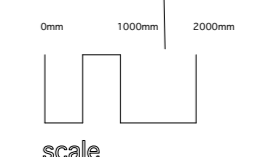
Title: Plan as proposed

Drg. No. 1729 / Date: 16.07.19 AL(0)08

Scale: 1:100 Drawn: GQ

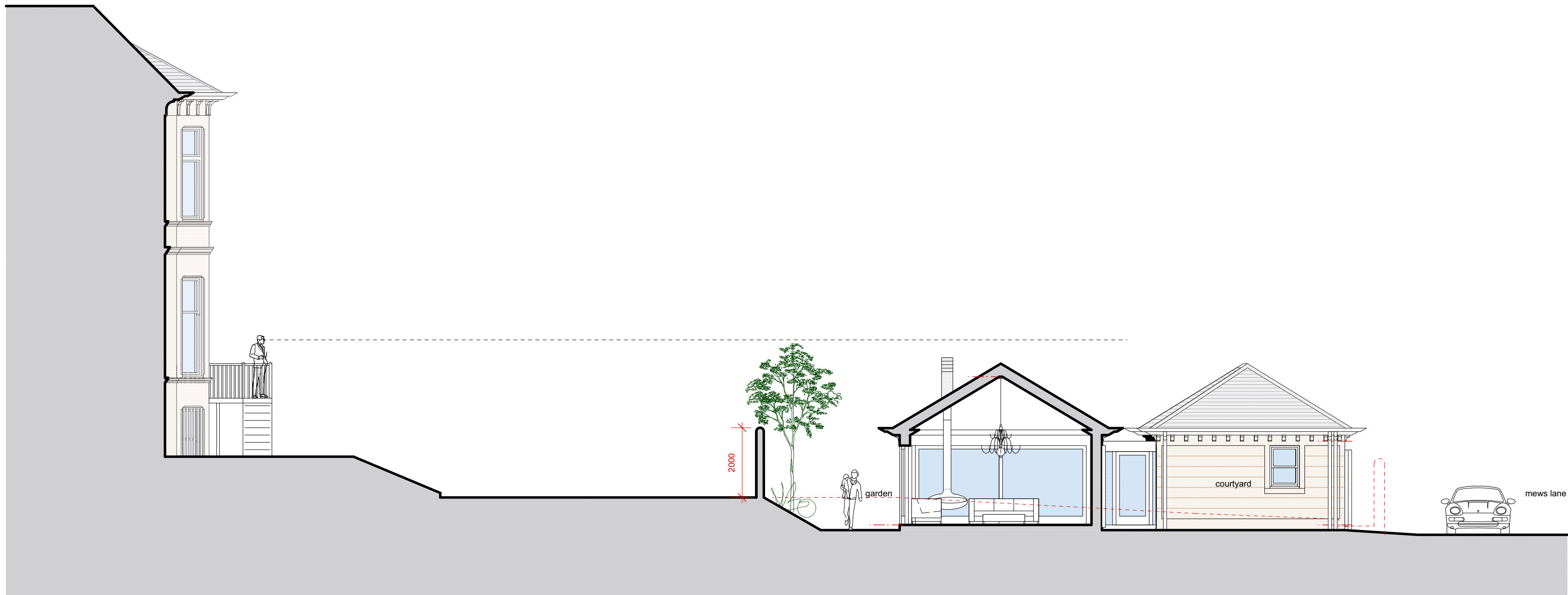


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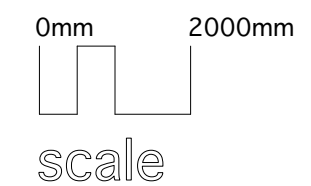




section aa



section bb



GENERAL NOTES.

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DATED.....

SIGNED.....

QUIGLEY ARCHITECTS AGENT

Rev	Description	Date
B.	Client Amendments	05.08.22
A.	Planning Amendments	31.03.20

Project. Proposed Development @ 92 Newark Street Greenock

Client. Mr & Mrs Scott

Title. Sections as proposed

Drg. No. 1729/ AL(0)12 **Date.** 19.07.19

Scale. 1:100 **Drawn.** GQ



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The Mews, 22 Forsyth Street, Greenock PA16 8DT

Proposal Details

Proposal Name	100219660
Proposal Description	New build one storey detached house with associated hard and soft landscaping
Address	92 NEWARK STREET, GREENOCK, PA16 7TG
Local Authority	Inverclyde Council
Application Online Reference	100219660-005

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
Planning Appeal February 2023	Attached	Not Applicable
Production 6-1	Attached	Not Applicable
Production 6-2	Attached	Not Applicable
Production 6-3	Attached	Not Applicable
Production 6-4	Attached	Not Applicable
Production 6-5	Attached	Not Applicable
Production 6-6	Attached	Not Applicable
Production 6-7	Attached	Not Applicable
Production 6-8	Attached	Not Applicable
Production 6-9	Attached	A1
Production 6-10	Attached	A1
Production 6-11	Attached	A1
Production 6-12	Attached	A2
Production 6-13	Attached	A1
Production 6-14	Attached	A1
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-005.xml	Attached	A0

15. FURTHER REPRESENTATION

From: [GORDON LOGAN](#)
To: [Colin MacDonald](#)
Subject: Re: Notice of Review - 92 Newark Street, Greenock - Inverclyde Local Review Body
Date: 13 March 2023 14:40:45

Colin,

Probably already covered but worth stating.

The front of our properties are at least 10 metres from Newark Street which does not allow Fire Emergency Services practically attendance if a fire occurred in those houses 108 - 122 Newark Street. Ambulance and other care services utilise the Lane to frequently access 108 - 118 Newark Street. Refuse bin collection also takes place at the rear of those properties - the Bin Lorry struggles as it is and we do facilitate their access by keeping larger vehicles on Newark/Woods Street on collection day. We also utilise rear door access for larger deliveries.

My Garage on Mews Lane (Included on the original Missives from the build of our properties in the 1960s) has its primary access or egress route via Westfield Drive this is due to no turning point and restricted lane breadth; there are 7 other garages plus a number of driveways on Mews Lane.

No matter what restriction are put in place for the building works, site traffic and the new keepers/visitor parking facilities, access will be impacted and with the importance of unrestricted 24/7 access I do feel very strongly that approval of the build would inevitably impact/restrict emergency and key service attendance to a large number of homes on Mews Lane and Westfield Drive.

Best Regards
Gordon Logan

16. SUBMISSION BY QUIGLEY ARCHITECTS IN RESPONSE TO FURTHER REPRESENTATION

From: [Graeme Quigley](#)
To: [Colin MacDonald](#)
Subject: Production 6.15
Date: 30 March 2023 16:22:49
Attachments: [PastedGraphic-1.tiff](#)

Dear Colin

Proposed Development @ 92 Newark Street, Greenock

With reference to your letter dated 23rd March 2023 enclosing Mr Logan's comments dated 13th March 2023 we write to confirm as part of the planning application consultation process we liaised with Inverclyde Council Roads and Transportation who requested a number of amendments all of which we implemented as part of our overall design submission.

The result of which is a betterment to the existing road layout at the junction of Westfield Drive and Mews Lane as our submission facilitates increased turning provision for ALL road users, improved access and egress arrangements to Mews Lane, greater visibility and a safer pedestrian solution.

During the proposed construction there is ample provision on-site for the storage of welfare accommodation and associated building materials to minimise impact on neighbours.

Finally, any competent contractor will comply with all Council & HSE requirements during the build including properly managing the impact of construction traffic to ensure unrestricted 24/7 access to Mews Lane and Westfield Drive.

Yours sincerely



Graeme Quigley
Principal Architect

Quigley Architects
The Mews,
22 Forsyth Street,
Greenock,
Renfrewshire.
PA16 8DT

Established 1968

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E. graeme@quigleyarchitects.co.uk
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**17. SUGGESTED CONDITIONS SHOULD PLANNING
PERMISSION BE GRANTED ON REVIEW**

22/0203/IC - Review - Suggested Conditions

Should planning permission be granted on review the following conditions are suggested.

1. The development to which this permission relates must be begun within 3 years from the date of this permission.
2. No development shall be undertaken until detailed specification of material, finish and colour (including samples where necessary) of materials to be used on all external surfaces of the dwellinghouse and hardstanding areas have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.
3. No further development shall be undertaken until details/plans have been submitted to and approved in writing by the Planning Authority relating to all boundary treatments to be erected on the site. Thereafter the approved details shall be implemented in their approved form.
4. The dwellinghouse 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). Development shall not commence until details have been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in the dwellinghouse. Thereafter the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of the dwellinghouse.
5. The dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until the details have been submitted to and approved in writing by the Planning Authority relating to the proposed Electric Vehicle Charging Point. Thereafter the approved details shall be implemented on site in their approved form before the first occupation of the dwellinghouse.
6. That the presence of any suspected contamination that becomes evident during site works shall be brought to the attention of the Planning Authority and the Remediation Scheme shall not be implemented unless it has been submitted to and approved in writing by the Planning Authority.
7. The off-street parking/ courtyard area shall be fully paved and the gradient shall not exceed 10%.
8. That the visibility splay of 2.4m x 17.0m x 1.05m at the site access/ driveway shall be achieved and be maintained at all times thereafter to the satisfaction of the Planning Authority.
9. All surface water run-off is to be contained within the site and be limited to that of greenfield run-off. Prior to the commencement of development the applicant should demonstrate that this is achievable in agreement with the Planning Authority.
10. Confirmation of connection Scottish Water's Network shall be submitted to and approved in writing by the Planning Authority.

Reasons

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. To ensure the development is acceptable in appearance.
3. To ensure the development is acceptable in appearance.
4. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
5. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.
6. To ensure that all contamination issues are recorded and dealt with appropriately.
7. To ensure usability and in the interests of road safety.
8. To ensure that an appropriate visibility splay is provided and maintained, in the interest of road safety.
9. To avoid surface run-off, flooding of the road or adjacent properties.
10. To ensure an appropriate drainage regime.