

Ref: CM

Date: 24 October 2023

A meeting of the Planning Board will be held on Wednesday 1 November 2023 at 3pm.

Members may attend the meeting in person or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Tuesday 31 October 2023 how they intend to access the meeting.

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

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

IAIN STRACHAN
Head of Legal, Democratic, Digital & Customer Services

BUSINESS

1.	Apologies, Substitutions and Declarations of Interest	Page
2.	Planning Applications Report by Director Environment & Regeneration on applications for planning permission as follows:	
(a)	Sanctuary Scotland Erection of new build residential development comprising of 64no. units in a mix of four storey flats and family houses, together with new parking, landscaping and servicing infrastructure: Site Bounded by Duncan Street, Holmscroft Avenue and Roxburgh Street, Greenock (23/0013/IC)	p
(b)	Scottish Water Installation of a Top Up Tap for water bottles: Lochwinnoch Road, Kilmacolm (23/0150/IC)	p

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

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

Report To: The Planning Board

Date: 1 November 2023

Report By: Director
Environment & Regeneration

Report No: 23/0013/IC
Plan

Major Application
Development

Contact
Officer: David Sinclair

Contact No: 01475 712436

Subject: Erection of new build residential development comprising of 64no. units in a mix of four storey flats and family houses, together with new parking, landscaping and servicing infrastructure at Site Bounded by Duncan Street, Holmscroft Avenue and Roxburgh Street, Greenock.



SUMMARY

- The proposal largely complies with the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan, however raises one area of conflict with National Planning Framework 4.
- Six objections have been received raising a wide range of concerns relating to the design and layout, housing types, daylight, overlooking, traffic and parking and trees.
- The consultation responses raise no impediments to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=ROXJO9IMKWS00>

SITE DESCRIPTION

The application site comprises a vacant brownfield site covering approximately 1.07 hectares which formerly contained the Greenock Health Centre, which has subsequently been demolished. The site is mostly hard surfaced, with the exception of a strip of grass along the eastern edge which contains a number of lime trees and a row of hedging along the southern edge of the site. The site is positioned on a gradual north-east facing slope above Roxburgh Street to the north and slopes up to Holmscroft Avenue which runs along the southern boundary. Duncan Street runs along the east side of the site and there are three-storey flatted residential properties located along the west side of the site.

PROPOSAL

Planning permission is sought for the erection of 64 residential dwellings, comprising 20 two-storey terrace houses and two four-storey flatted buildings, one in the north-west corner of the site containing 20 units and one in the north-east corner of the site containing 24 units.

The terrace houses are to be split between four blocks, one row of four, two rows of five and one row of six, which are to be positioned along the south and east sides of the site, fronting to the interior of the site. The terrace houses are proposed to comprise twelve 2-bed dwellings, six 3-bed dwellings and two 4-bed dwellings. The two blocks adjoining Holmscroft Avenue are to contain hipped roofs with front facing gables on the end terraces. The southernmost block adjoining Duncan Street is to contain a hipped roof on the southern end and a gable on the northern end and the northern block is to contain a dual-pitched roof throughout. The dwellings are to be finished with concrete roof tiles, facing brick walls, composite doors and uPVC windows, rainwater goods and fasciae. Solar PV panels are proposed on the rear roof planes of all terraced dwellings.

The flats are to comprise twelve 1-bed dwellings and 32 2-bed dwellings. The flats are proposed to contain 'M' shaped roof pitches with east and west facing gables and a south facing gable extending from the sides closest to the site boundary. The flats are to be finished with materials to match the dwellinghouses and will each contain three banks of 8 solar PV panels. Two units, one in each flat are to be designed to bariatric standards.

In terms of parking, it is proposed to provide 67 parking spaces, including five accessible spaces. One car parking space is to be formed in front of each 2 or 3-bed terrace house and two car parking spaces are to be formed in front of each 4-bed terrace house with the remaining spaces being unallocated. Four accessible spaces are to be positioned within the eastmost and westmost of three forked access roads that lead to the flats. A bin store is to be provided for each flatted building.

In terms of private garden ground, the houses are to contain front garden areas measuring approximately 6.5 metres in length, with rear garden areas between 6.9 and 10.7 metres in length. Shared access is to be provided to the rear of the terraced garden areas for bin storage and boundary treatments to the rear include a mixture of timber fencing at 0.9 and 1.8 metres in height. The front garden areas are to be kept open with no formal boundary treatments.

The proposed layout will contain four areas of open space around the flatted properties, these comprise a larger area between the flats covering approximately 1150sqm, an area of around 400sqm on the south and west sides of the westmost flatted building, an area of around 50sqm on the south side of the eastmost flatted building and an area of around 110sqm around the south and east sides of the eastmost flatted building. Further areas around 400sqm are to be provided along the southern and eastern boundaries. The landscaping plan submitted indicates these will be mostly grassed with a variety of hedges and trees throughout. The grassed tree verge along the eastern boundary with Duncan Street is to be retained and a new verge containing 16 Lime trees is proposed along the southern boundary with Holmscroft Avenue. The landscaping plan indicates a total of 96 trees are to be provided throughout the site, which will comprise a variety of Alder, Birch, Hawthorn, Crab Apple, Cherry, Plum and Lime trees.

The application is accompanied by: the Pre-Application Consultation Report; Flood Risk Assessment (FRA); Drainage Impact Assessment (DIA); Ground Investigation Report; Tree Report; Design and Access Statement; and a Statement of Community Benefit.

NATIONAL PLANNING FRAMEWORK 4 (NPF4)

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 1

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2

a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.

b) Development proposals will be sited and designed to adapt to current and future risks from climate change.

Policy 9

a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalized should be taken into account.

Policy 12

c) Development proposals that are likely to generate waste when operational, including residential, commercial and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:

- i. provision to maximise waste reduction and waste separation at source, and
- ii. measures to minimise the cross contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

Policy 14

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 15

a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

Policy 16

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.

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 5 – Heat Networks

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

Policy 6 – Low and Zero Carbon Generating Technology

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

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

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

Policy 7 – Waste Reduction and Management

Proposals for waste management facilities will be supported where they:

- a) Support the national Zero Waste Plan and promote the waste hierarchy;
- b) Enable the management of waste closer to where it arises;
- c) Avoid significant adverse impact on the amenity and operations of existing and adjacent uses and the road network; and
- d) Avoid significant adverse impact on historic buildings and places and the green network and our natural and open spaces.

Where necessary, proposals should demonstrate how any site affected by the proposal will be fully restored through an appropriate aftercare programme and a financial guarantee to ensure its implementation.

Where applicable, the design and layout of new development must enable the separation, storage and collection of waste in a manner that promotes the waste hierarchy. Opportunities for integrating efficient energy and waste innovations within business environments will be encouraged.

Policy 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 22 – Network of Centres Strategy

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

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

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

Policy 33 – Biodiversity and Geodiversity

Natura 2000 sites

Development proposals that are likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site or if:

- a) there are no alternative solutions; and
- b) there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- c) compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

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

Local Nature Conservation Sites

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

Local Landscape Area

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special features as set out in the Statement of Importance. Where there is potential for development to result in a significant adverse landscape and/or visual impact, proposals should be informed by a landscape and visual impact assessment.

Non-designated sites

The siting and design of development should take account of local landscape character. All development should seek to minimise adverse impact on wildlife, especially species and habitats identified in the Local Biodiversity Action Plan. Development should take account of connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

Policy 36 – Delivering Green Infrastructure through New Development

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

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 5 – Heat Networks

Major Developments will be required to meet heat demand through a district heating network or other low-carbon alternative, unless the application is accompanied by an energy statement clearly demonstrating that this is not feasible. All proposed developments located adjacent to significant heat sources or proposed/existing heat networks should be designed in such a way as to be capable of connecting to a heat network from that source and any land required for heat network infrastructure should be protected.

Policy 6 – Low and Zero Carbon Generating Technology

Support will be given to all new buildings designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 25% by the end of 2025.

Other solutions will be considered where:

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

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

Policy 7 – Waste Reduction and Management

Proposals for waste management facilities will be supported where they:

- a) support the national Zero Waste Plan and promote the waste hierarchy;
- b) enable the management of waste closer to where it arises;
- c) avoid significant adverse impact on the amenity and operations of existing and adjacent uses and the road network; and
- d) avoid significant adverse impact on the resources protected by the Plan's historic buildings and places and natural and open spaces chapters.

Where necessary, proposals should demonstrate how any site affected by the proposal will be fully restored through an appropriate aftercare programme and a financial guarantee to ensure its implementation.

Where applicable, the design and layout of new development must enable the separation, storage and collection of waste in a manner that promotes the waste hierarchy. Opportunities for integrating efficient energy and waste innovations within business environments will be encouraged.

Policy 8 – Climate Change Adaptation

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

Policy 9 – Managing Flood Risk

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

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

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

Policy 10 – Surface and Waste Water Drainage

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

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

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

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

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

Developments including SuDS are required to have an acceptable maintenance plan in place, which identifies who will be responsible for maintenance and how this will be funded in the long term.

Policy 11 – Promoting Sustainable and Active Travel

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

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

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

The Council will support the implementation of transport and active travel schemes as set out in national, regional and Council-approved strategies, subject to adequate mitigation of the impact of the scheme on: development opportunities; the amenity and operations of existing and adjacent uses; and the resources protected by the Plan's historic buildings and places and natural and open spaces chapters.

Policy 12 – Managing Impact of Development on the Transport Network

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

Policy 17 – Brownfield Development

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

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

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

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

Policy 18 – Land for Housing

To enable delivery of the Clydeplan Strategic Development Plan housing supply target for Inverclyde, new housing development will be supported on the sites identified in Schedule 3, and

on other appropriate sites within residential areas and town and local centres. All proposals for residential development will be assessed against relevant Supplementary Guidance including Design Guidance for Residential Development, Planning Application Advice Notes, and Delivering Green Infrastructure in New Development.

The Council will undertake an annual audit of housing land in order to ensure that it maintains a 5 year effective housing land supply. If additional land is required for housing development, the Council will consider proposals with regard to the policies applicable to the site and the following criteria:

- a) a strong preference for appropriate brownfield sites within the identified settlement boundaries;
- b) there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan;
- c) that the proposal is for sustainable development; and
- d) evidence that the proposed site(s) will deliver housing in time to address the identified shortfall within the relevant Housing Market Area.

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

Policy 20 – Residential Areas

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

Policy 21 – Wheelchair accessible housing

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

Policy 33 – Biodiversity and Geodiversity

European sites

Development proposals that are likely to have a significant effect on a European site which are not directly connected with or necessary to their conservation management must be subject to an appropriate assessment of the implications of the proposal on conservation objectives. Proposals will only be permitted if the assessment demonstrates that there will be no adverse effect on the integrity of the site either during construction or operation of the development, or if:

- a) there are no alternative solutions; and
- b) there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- c) compensatory measures are provided to ensure that the overall coherence of the network is protected.

In such cases, the Scottish Ministers must be notified.

Sites of Special Scientific Interest

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

Protected Species

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

Local Nature Conservation Sites

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

Non-designated sites

All development should seek to minimise adverse impact on wildlife, especially species and habitats identified in the Local Biodiversity Action Plan. Development should take account of connectivity between habitat areas. Where possible, new development should be designed to conserve and enhance biodiversity.

Policy 37 – Delivering Green Infrastructure Through New Development

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

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

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

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

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

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

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

CONSULTATIONS

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

- Parking requirement within the National Guidelines for amenity housing is 0.5 spaces per dwelling + 0.3 spaces visitor parking per dwelling. The application proposes 64 dwellings. 12no 1 bedroom flats, 44no 2 bedroom houses/flats, 6no 3 bedroom houses and 2no 4 bedroom houses which requires 32 spaces and 20 visitor spaces. In total this would be 52 parking spaces. The applicant has shown 67 spaces which is acceptable.

- The disabled bay next to plot 5 should be behind the footway.
- The parking spaces within car parks should be a minimum of 2.5m by 5.0m with a minimum aisle spacing of 6.0m.
- The parking spaces on driveways should be a minimum of 3.0m by 6.0m. If the driveway forms access to the dwelling there should be a minimum width of 3.4m (2.5m for the car and 0.9m for pedestrians).
- The driveways should be fully paved and the gradient shall not exceed 10%.
- All roads within the site shall be a minimum of 5.5m wide and have a gradient of 8% or less.
- The footpaths within the site shall be a minimum of 2.0m wide.
- The road shall be designed to a 20mph speed limit with traffic calming.
- The visibility splay of 2.4m x 43m x 1.05m at the existing access should be maintained.
- A Section 56 Agreement will be required where changes are proposed to the road or footway network.
- The road through the development should be to an adoptable standard and will require a RCC and Road Bond.
- The proposed development will have an impact on the existing street lighting, accordingly a lighting and electrical design for adoptable areas will be required for each site. A system of lighting shall be kept operational at all times within the existing public adopted areas.
- FRA is acceptable. Noted that FFLs achieve the 600mm freeboard. FRA has been independently checked and signed and states there is little to no risk of flooding to the proposed development from all known sources.
- DIA is acceptable. The DIA has been independently checked and signed and states that the surface water management design is feasible and compliant with best practice and regulatory requirements.
- PDE from Scottish Water for the drainage network connections confirm the network has capacity. Further acceptance of connections to be submitted when received.
- All surface water should be managed within the site as is reasonably practicable to prevent flooding to surrounding properties and the public road network.
- Drainage drawings are acceptable. The Surface Water Management design should confirm who will adopt and maintain the surface water network, including any SuDS.
- The application shall pay for the promotion and implementation of a Traffic Regulation Order banning parking on Roxburgh Street.

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

- That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation. This is advised to help arrest the spread of Japanese Knotweed in the interests of environmental protection.
- That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation. This is advised to satisfactorily address potential contamination issues in the interests of human health and environmental safety.
- That before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan,

maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness. This is advised to ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.

- That the presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority. This is advised to ensure that all contamination issues are recorded and dealt with appropriately.
- All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption". This is advised to protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.
- The applicant must consult or arrange for their main contractor to consult with the Noise team at Inverclyde Council prior to the commencement of works to agree times and methods to minimise noise disruption from the site. This is advised to protect the amenities of occupiers of premises from unreasonable noise and vibration levels.
- The lift mechanism and motor (plant room/ventilation fans) should be suitably isolated from the building structure. This is advised to minimise the effects of vibration within the properties.
- The sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations. This is advised to ensure that acceptable noise and vibration levels are not exceeded.
- Advisory notes are recommended in respect of site drainage; rats, drains and sewers; Construction (Design & Management) Regulations 2015 (CDM 2015); surface water; the design and construction of buildings relating to gulls; and electric vehicle charging points.

Head of Education – No objection. Education Services assessment, based on currently available information, is that the school estate will be able to accommodate additional pupils from this development.

Scottish Environment Protection Agency (SEPA) – No objections. Advises as follows:

- In line with NPF4 (Policy 22) a precautionary approach to flood risk should be taken by avoiding development within areas of flooding (land or built form with an annual probability of being flooded of greater than 0.5% which must include an appropriate allowance for future climate change.
- The site is beside an area shown to be at risk of fluvial flooding based on the SEPA Future Flood Maps, originating from the West Burn to the west of the proposed site. Flood extents are shown to inundate Roxburgh Street, to the front of the development.
- However, flood water originating from the West Burn may be overestimated in this location as OS Maps indicate and contour lines indicate that flood waters are likely to inundate and flow down the dismantled railway track running below Brachelston Street and Inverkip Road. The West Burn outlet culvert, located at Newton Street to the northwest of the site, would also likely flood into the in-service railway line and be channelled and contained. The in-service railway line lies parallel with Roxburgh Street but is shown to be at a significantly lower elevation than the road.
- Site elevations are shown in the proposed drainage layout and indicate that the site slopes downwards in a south to north orientation, with a difference of approximately 5m. Lower elevations at the northern section of the site remain at a higher elevation than Roxburgh Street and indicate fluvial flood water would not encroach into the site boundary. Concurrently, proposed finished floor levels for the buildings facing towards Roxburgh Street are well elevated and sufficiently raised to further lower flood risk.
- We also note from submitted plans that site access will be located to the south, at a significantly higher elevation than ground levels at Roxburgh Street. Safe access and egress for vehicles and pedestrians will be able to be maintained. The site is also within the Inverclyde Local Development Plan (LDP) – Policy 22 Network of Centres Strategy which supports proposals for residential uses in the Greenock Local Centre area. The

proposal will allow for the demolished site to be brought back into positive use. We therefore have no objection to the proposed development on the grounds of flood risk.

- There is an opportunity to reduce vulnerability to flooding by creating a more resilient building. We would recommend that reduction in flood risk is achieved through the incorporation of flood resistant and resilient materials and design.
- SEPA operates a flood warning service in the area. We advise that site users can increase their preparedness and resilience to flooding by signing up to this free service to receive flood warning messages at Floodline. Other useful tools and advice on how to be prepared are available on the Floodline website.

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

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

PUBLICITY

An advertisement was placed in the Greenock Telegraph on 3rd March 2023 due to there being neighbouring land with no premises situated on it.

SITE NOTICES

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

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. Six representations were received objecting to the proposal that are summarised as follows:

Amenity concerns

- The plans show buildings in close proximity to existing residences which could compromise daylight to neighbouring windows.
- Overlooking of neighbouring residences from the proposal.
- Flats will be packed together around perimeters with landscapes in quadrangle centre. This design encourages anti-social behaviours and congregating residents/non-residents escalating noise disturbance.

Design concerns

- Bin stores too far away from the block of flats.
- During hot spells the smell from the bin stores will travel through the whole of the planned area.
- The plans do not confirm whether the two storey homes have solar panels nor electric car charging points in their driveways.
- Lack of details regarding electric car charging points for the flats.
- The established housing development on Roxburgh Street has a very large green space between the back of units on Roxburgh Way and the footway on Roxburgh Street. The proposed development brings the back of four-storey tenements within metres of the Roxburgh Street footway.
- The layout is not in keeping with the established housing layout and will have a visual impact on the streetscape.
- The layout of this proposed development (in part) does not integrate new developments into the existing community nor create an attractive and active street.
- The proposed development has 9 units adjoining Duncan Street accessible from the unnamed internal road. This will be unfavourable with the units currently on Duncan Street where they contribute to a sense of belonging and help maintain a “living” street – where

residents become neighbours and friends. The proposed layout will, by design, create a new community thus not encouraging integration with the existing community.

- The layout is not in keeping with the “Factors Contributing to Successful Places” and will have a detrimental impact on creating an active street. Planning permission for this layout should not be granted.
- Lack of individual gardens for every block of flat’s tenants.
- The height of the four storey flats is out of character with the surroundings.
- The proposed design is not welcoming, inclusive or creative and has potential to lessen and prevent integration and inclusion.

Housing concerns

- As the site is within the Town Centre/Local Centre (Policy 22 Local Development Plan (Adopted Plan – 2019)) it is imperative that the development is appropriate for the Affordable Housing Supply Programme. Recent Housing Needs analysis identifies that three, four and five-bedroom family homes are urgently required, this development offers 20 housing units. The additional 44 flats being offered are currently available from established RSLs – more flats are not required on this site.
- On the basis that this planning application offers Greenock town centre the wrong housing mix, planning permission should not be granted.

Traffic and parking concerns

- Holmscroft Avenue provides the only means of access into a number of existing residential properties and was chaotic when the Health Centre was on the site. The use of Holmscroft Avenue for cars accessing the site should be reconsidered.
- Lack of parking for additional cars beyond the one parking place per unit provided.
- With only one access road to neighbouring houses, Holmscroft Avenue must be kept clear for residents and emergency vehicles when construction commences.
- Concerns over the present access not providing a clear view for drivers joining Holmscroft Avenue from the site.
- Impact of increase in cars in the area on air quality and traffic congestion.

Tree concerns

- The existing trees are well developed and help with air quality, do not replace with nursery trees, especially with the increased volume of traffic these flats/houses will bring.
- The application should be deferred to enable the planning committee to visit the site, particularly when the trees are in full bloom.
- The existing number of trees along Duncan Street is not desirable especially with the plans to erect protective fencing and four storey flats.
- The 28 trees arise within falling distance of the pavements and carriageways associated with Duncan Street and part of Holmscroft Avenue.
- The trees have made the pavements uneven, and streetlights hidden.
- The existing trees with the proposed new builds would be detrimental to the health, safety and wellbeing of residents and passersby.
- The protective fencing for the trees will be an eyesore.
- The length of Duncan Street is shrouded in darkness due to the trees which prevent light from getting into neighbouring dwellings.

ASSESSMENT

This application is a Major Development as defined by The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and has to be determined by the Planning Board. The material considerations in determination of this application are the National Planning Framework 4 (NPF4); the adopted 2019 Inverclyde Local Development Plan (LDP); the proposed 2021 Inverclyde Local Development Plan (LDP); Inverclyde Council’s Supplementary Guidance on ‘Energy’; Planning Application Advice Note (PAAN) 3 on “Private and Public Open

Space Provision in New Residential Development”; Draft Planning Application Advice Note (PAAN) 3 on “Private and Public Open Space Provision in New Residential Development”; the consultation responses; and the representations received.

Location of Development and National Planning Framework 4

The site is a brownfield site allocated for residential development in the proposed LDP. The Spatial Development Strategy of both the adopted and proposed Local Development Plans directs residential development to existing built-up areas in the first instance. In this regard the site is located within the existing settlement boundary of Greenock as identified in both LDPs. As such the site is considered to be in a sustainable location and therefore the proposal accords in general terms with the Spatial Development Strategy. It is therefore a sustainable location that is considered to be consistent with the terms of Policies 1, 2 and 9 of NPF4.

Policy 14 of NPF4 and Policy 1 of both LDPs refer to qualities of successful places. All six qualities in Policy 14 are relevant to this proposal and will be considered in greater detail alongside Policy 1 of both LDPs to determine compliance. Policy 16 of NPF4 supports proposals for new homes on land allocated for housing in LDPs. Developments for 50 or more homes should contribute to: meeting local housing requirements, including affordable homes; provide or enhance local infrastructure, facilities, and services; and improve the residential amenity of the surrounding area.

The proposed development site is close to the town centre, with all its amenities, and close to bus and train routes. The site is also close to health and social care facilities as well as having schools and lifelong learning opportunities at West of Scotland College nearby. A range of accommodation types are proposed and the provision of social and accessible housing would therefore accord with the principle of 20-minute neighbourhoods, in accordance with Policy 15 of NPF4.

The proposal has been submitted by a social housing provider and 100% of the units on the site would be affordable homes for rent, allowing the development to contribute to meeting local housing requirements, including affordable homes in line with NPF4, Policy 16.

Local Policy

Both LDPs locate the application site within an established residential area. New residential development within residential areas requires assessment against Policy 1 of the adopted LDP and Policies 1, 18, 20 and 21 of the proposed LDP. Policy 18 states that new housing development will be supported on the sites identified in Schedule 3, and on other appropriate sites within residential areas and town and local centres. The site is identified in Schedule 3 of the proposed LDP as a housing development opportunity with a capacity of 35 units. As the proposal is for 64 units which is an 82% increase on the indicative capacity, it requires to be assessed as to whether the site is appropriate for the proposed development. Policy 18 requires all residential development to be assessed against relevant Supplementary Guidance. In considering the criteria in Policy 18, the proposal can be considered to meet: a) a strong preference for appropriate brownfield sites and b) there being no adverse impact on the delivery of the Priority Places and Projects identified by the Plan. Further assessment is required to determine whether the proposal meets criterion c) (that the proposal is for sustainable development), and whether it has regard to the amenity, character and appearance of the area, in line with Policy 20 of the proposed LDP. Policy 21 of the proposed LDP requires a minimum of 5% of housing units to be fully wheelchair accessible housing.

Policy 1 of both LDPs requires all development to have regard to the six qualities of successful places and the relevant Planning Application Advice Notes, of which the adopted and draft PAAN 3s are relevant to this proposal. In the adopted LDP, the quality of being ‘Distinctive’ requires proposals to reflect local architecture and urban form; use native species in landscaping and create habitats for native wildlife. In the proposed LDP, the quality of being ‘Distinctive’ requires proposals to respect landscape setting and character, and urban form; reflect local vernacular/architecture and materials; and use native species in landscaping where appropriate, creating habitats for native wildlife. The relevant factor to be considered ‘Adaptable’ is whether

the proposal avoids creating buildings or spaces that will become neglected or obsolete. The relevant factors to be considered 'Resource Efficient' requires the proposal to make use of existing buildings and previously developed land; incorporate low and zero carbon energy-generating technology; and provide space for the separation and collection of waste. The relevant factors to be considered 'Easy to Move Around' are being well connected and recognising the needs of pedestrians and cyclists. The relevant factors to be considered 'Safe and Pleasant' are to avoid conflict with adjacent uses and minimise the impact of traffic and parking on the street scene. To be considered 'Welcoming', the proposal should integrate new development into existing communities and make buildings legible and easy to access.

In addition, as the application includes the provision of new buildings, Policy 6 in both LDPs is applicable. Policy 7 in both LDPs requires assessment as the proposal includes the provision of new residential dwellings which will generate waste and recyclable materials. Policy 8 of the adopted LDP and Policy 9 of the proposed LDP require consideration in terms of flood risk. Policy 9 of the adopted LDP and Policy 10 of the proposed LDP are relevant as the proposal is for a housing development with multiple units that do not drain directly to coastal waters. As the proposal will result in an increase in traffic and vehicular parking in the area, Policies 10 and 11 of the adopted LDP and Policies 11 and 12 of the proposed LDP apply. As the site is brownfield in nature and contained previous development Policy 16 of the adopted LDP and Policy 17 of the proposed LDP require consideration.

The proposed development site is a former health centre which has been recently demolished and would therefore comply with the quality of being 'Resource Efficient' through making use of existing buildings or previously developed land. It will bring a site which is currently obsolete back into active use, meeting the quality of being 'Adaptable'. As the proposed development is on a brownfield site within the urban area, it would satisfy Policy 17 of the proposed LDP. It also meets the factor of building at a higher density in town and local centres and around public transport nodes, as the proposed development site is close to town and transport routes.

Regarding Policy 20 of the proposed LDP, the proposal is for a residential development within a residential area. The proposed 64-unit development is a larger capacity than stated in the proposed LDP. A search of the Proposed Development Sites Assessments for the LDP showed the site identified for 35 units but no indication was given on how this figure was decided upon.

Open Space and Green Network

In considering Policy 33 and the impacts of the proposal on biodiversity and geodiversity, the site is identified as a non-designated site in both LDPs. I note that the site is brownfield in nature and has been recently cleared, with hardstanding covering the majority of the site, with limited habitat along the southern and eastern site boundaries, which contain a planted row of trees and hedging. The redevelopment of the site affords opportunities for landscaping which would have a positive impact on biodiversity and geodiversity and therefore the proposal can be considered in accordance with Policy 33 of both LDPs.

In considering the existing trees on site, I note both the concerns raised in the objections received over the potential loss of trees which are well developed and the concerns over the density of the existing trees along Duncan Street and their impacts on daylight and the adjoining footway. The application is accompanied by a tree surgeon's report, which identifies that there are currently 28 trees on site. The report has classified 26 trees as category 'B', with moderate desirability for retention and 2 trees as category 'C', with low desirability for retention, however, considers the group as a 'cohesive arboricultural feature' which should be classed as category 'A', with high desirability for retention. The report recommends works to three trees prior to site works and notes due to tree density that 'thinning' the belt would encourage future form, identifying 9 trees suitable for removal without impacting on canopy cover or by reducing all trees to 5 metres and managing as pollards.



View of the site looking north-west from Duncan Street with tree-lined edge in front of site.

The proposal indicates the removal of 12 trees, which would allow the majority of the group to be retained, whilst providing positive impacts on neighbouring properties in terms of daylight. Impacts in terms of biodiversity and habitat loss would be offset by the extent of planting proposed throughout the rest of the site and therefore can be considered acceptable. In considering new trees proposed, these should be native species as these are best suited for improving the overall ecology of the site and creating a suitable habitat for wildlife, in accordance with the quality of being 'Distinctive' in Policy 14 of NPF4 and Policy 1 of both LDPs. I consider this matter can be secured by means of condition along with tree protective measures for the trees which are to be retained. Any impacts of clearance works on breeding birds can be addressed and secured by a planning condition to ensure no breeding birds are impacted by the proposal.

I note the concerns raised over tree protection fencing impacting on daylight. This would be a temporary measure put in place during construction to prevent any trees being retained from damage during construction and would be removed upon site completion. Furthermore, the height and position of the fencing is not considered to significantly impact on daylight to any existing properties.

The wildflower meadow and flowering lawn would incorporate biodiversity enhancement into the development. Subject to a condition ensuring the provision of landscaping shown in the landscaping plan, along with a maintenance and management scheme the proposal can be considered in accordance with Policy 36 of the adopted LDP and Policy 37 of the proposed LDP.

The proposal can be considered to provide a positive impact in terms of increasing biodiversity on the site and therefore stands to accord with Policy 33 of both LDPs and is considered sustainable in line with Policy 9 of NPF4.

Design and Layout

Successful residential layouts require well designed buildings in a setting of gardens and open space and within a framework established by landscape features and an accessible layout, all recognising the impact on neighbours. In considering the proposed layout and design and whether this reflects local architecture and urban form, the site is adjoined on three sides by a

mixture of two, three and four storey residential buildings. The proposed use of two and four storey buildings reflects the scale and height of the surrounding buildings and the positioning of two storey dwellings on higher ground with the four storey flats on lower ground closer to the town centre reduces their visual impact on the surrounding skyline. This will allow them to blend in with surrounding development, reflecting local architecture.

In respect of the concerns raised in the objections received over the proposed housing mix, the development comprises a mixture of one and two-bed flats and two, three and four-bed houses, providing a wide mixture of property types which would attract a range of occupants and contribute towards meeting local housing requirements, in accordance with Policy 16 of NPF4. Although I note the concerns over a lack of larger houses within the development, taking into consideration the proximity of the site to the town centre and the surrounding context of residential flats suggests that the site should be encouraged for higher density development which reflects the density of existing residential developments that surround the site on three sides. These are generally relatively high density with a number of 3 and 4 storey buildings close together.

I note the concerns raised in the objections over the proximity of the flats to Roxburgh Street. The proposed flats will be set back around 5m from Roxburgh Street, which is considerably closer than the flats east of the site which are around 20m from Roxburgh Street and the flats west of the site which are around 30m from Roxburgh Street. I note however, that the flats east of the site front onto Roxburgh Way, with the rear elevations facing onto Roxburgh Street and the flats west of the site front onto Holmscroft Avenue, being separated from Roxburgh Street by the car parking area for the nearby health centre. I note there are buildings which front onto Roxburgh Street diagonally opposite the site and to the west of the health centre that adjoin the footway and present a strong frontage onto Roxburgh Street. The proposed flats present a strong frontage onto Roxburgh Street which is not provided on the adjoining flats. The set back distance of the flats relative to Roxburgh Street would form an expected street frontage onto Roxburgh Street which can be considered visually acceptable and will have an acceptable impact on the urban form of the area, in accordance with the quality of being 'Distinctive'.

With respect to design and materials, the proposed new dwellings are of a modern design and this approach is appropriate for the area. Whilst the buildings utilise similar finishing materials throughout the site, variations in the design and application of these materials between units creates visual interest. This approach can be considered acceptable for the area; however, it is considered appropriate that the final choice of external materials is controlled by condition.

In assessing the green infrastructure proposed as part of the development (Policy 36 of the adopted LDP and Policy 37 of the proposed LDP), I note that the Supplementary Guidance on Green Infrastructure has not yet been produced. The two storey dwellings will have private gardens to the rear and there is limited provision of open space for the 44 flatted units in the provision of ornamental trees, a flowering lawn, and a wildflower meadow. I note that there is little space for sitting outside. In considering whether appropriate levels of private and public open space are provided within the site, I turn to the advice given in both PAAN 3s on "Private and Public Open Provision in New Residential Development.

The site is identified in both PAAN 3s as being both a large-scale infill and as flatted development within a large-scale infill or greenfield/edge of town site. For private garden ground within large scale (infill) sites, the garden depths required for dwellinghouses are: 9 metres to the rear, although where the rear garden does not back onto residential property or 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 can be provided; 6 metres to the front; and 2 metres from house to side boundary. For flats, 10 square metres is recommended per bedspace based upon an occupancy rate of two persons per double bedroom and one person per single bedroom.

All dwellings have front gardens exceeding 6m in line with the guidance, however only two terrace dwellings have private rear gardens exceeding 9m, with garden space sizes ranging between 7.1 and 10.9m in depth. Due to the terraced design the majority of plots do not contain any side garden space which can offset the shortfall in garden depth. The end terraced properties at plots 5, 6, 15 and 16 have less than 2 metres from house to side boundary, with 1.1 metres afforded at plots 5 and 6 and 1.5 metres afforded at plots 15 and 16. As a result the proposal does not

accord with the advice in both PAAN 3s in respect of rear garden sizes. The 9m minimum rear garden distance is recommended to ensure that the window intervisibility distances between the rear of adjoining properties which back onto each other are met and to ensure the close proximity of buildings does not result in unacceptable overbearing impacts from overdevelopment. In this respect, all of the dwellinghouses proposed are to back onto a tree-lined section of public open space between 4 and 5.6m in width with existing roads beyond, providing a minimum distance of just over 27m from the nearest flats on Duncan Street. As such, none of the rear elevation windows conflict with the window intervisibility guidance and the dwellings are considered to be suitably spaced to not cause overbearing concerns arising from overdevelopment. The proposal does not allocate any private garden ground for the flats.



View looking west along Roxburgh Street from junction between Roxburgh Street and Duncan Street.

In respect of open space provision, it is recognised that whilst open space is provided within the site, the requirements of both PAAN 3s are not fully met in respect of the combined size of the areas of open space. Around 2500 square metres of open space is provided within the development layout. However, in this case an area of 3936 square metres of public open space and an area of 768 square metres for children's play areas would be necessary to fully meet the requirements of both PAAN 3s. Notwithstanding this, open space which provides for informal recreation and play, together with a setting for the new buildings is achieved and appropriately located within the layout.

With regard to children's play areas, the proposal does not allocate any space for play provision and the design statement submitted indicates that occupants would be able to make use of nearby parks for recreation. Although there are a number of parks in the surrounding area that could serve the development, the majority of these are beyond what would generally be considered an appropriate walking distance from the site, with Murdieston Park being the closest at around 500m west of the site. Furthermore, the nearest parks are all across busy roads and could not be accessed by younger children on their own. Based on the above, the proposal cannot be considered to accord with the guidance in both PAAN 3s in terms of private and public open space provision and raises concerns over the density of development resulting in overdevelopment of the site. The proposal also raises concerns over the provision of local access to playgrounds and informal play opportunities, parks, green streets, and spaces and stands to conflict with Policy 15 of NPF4 in this regard.

In considering impacts on neighbouring amenity in terms of overshadowing, I note the concerns raised in the objections over the proximity of proposed buildings to existing residences and impacts on daylight. In this regard, the impact of the development has been assessed against the BRE publication "Site layout planning for daylight and sunlight: a guide to good practice",

measuring the existing and proposed vertical sky component (VSC). The VSC has been measured against the rear ground floor windows at 2 and 4 Holmscroft Avenue, which will face towards the side of the terraced dwellings on Block 1 at distances between 6.6 and 9.4 metres. If the VSC is greater than 27% then enough skylight will reach the windows of the existing building. If the VSC, with the new development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice a reduction in the amount of daylight. With the site currently being cleared, all windows have an existing VSC of 40%, with no impediment to daylight. From south to north, the VSC levels with the proposal in place will be reduced to 36.5% VSC, 35.5% VSC, 29.5% VSC, 31.5% VSC, 35% VSC and 35.5% VSC respectively. All of these are above the 27% VSC recommended. It stands that the proposal will not result in an unacceptable loss of light to any rooms in neighbouring houses.

In considering the overlooking concerns raised in the objections received, all of the front and rear facing windows comply with the window intervisibility guidance. Following discussions with the applicant, they have confirmed that the side facing windows on the end-terrace dwellings will be fitted with obscure glazing, with the exception of the utility windows which will be set behind 1.8m high fencing. This will ensure that the proposal does not increase overlooking onto neighbouring properties or result in unacceptable levels of overlooking within the development. This matter can be secured by condition to ensure that the proposal does not result in unacceptable levels of overlooking between any neighbouring properties. Overall, the proposal can be considered to meet the quality of being 'Distinctive' in Policy 14 of NPF4 and Policy 1 of both LDPs.

Flooding, Drainage and Contamination

The assessment carried out on the site for inclusion in the LDP indicated that there is a medium to high risk of surface water and fluvial flooding on a small part of the site. In this respect, the applicant has submitted a Flood Risk Assessment (FRA) which demonstrates that the proposed site is not at risk of flooding and that the proposal would not increase flood risk to other nearby sites and will not impact on the functionality or storage capacity of the flood plain, therefore it raises no conflicts in terms of Policy 8 of the adopted Plan and Policy 9 of the proposed Plan. Furthermore, I note that SEPA raises no objections to the proposal in terms of flood risk. The advice given by SEPA in terms of incorporating flood resilient materials can be addressed by a planning condition and the advice on flood warnings can be addressed by an advisory note on the grant of any planning permission. In doing so the proposal will be able to adapt to the impacts of climate change, in accordance with criterion b) of NPF4, Policy 2.

In considering the impacts of surface water run-off, the site will be required to have a Sustainable Urban Drainage System (SuDS) in place. In respect of this, the applicant has submitted a Drainage Impact Assessment (DIA), to the satisfaction of the Head of Service – Roads and Transportation, within her capacity of Flooding Officer. Regarding her advice in relation to surface water management, confirmation of the adoption and maintenance of the surface water network can be secured by condition. On this basis I conclude that the proposal accords with Policy 9 of the adopted LDP and Policy 10 of the proposed LDP.

In considering Policy 16 of the adopted LDP and Policy 17 of the proposed LDP, in particular regarding potential contamination issues, the Head of Public Protection and Covid Recovery has been consulted to determine compliance with these policies. He raises no objections to the proposal, however, has requested conditions for surveys relating to Japanese Knotweed, Environmental Investigation and Risk Assessment, along with a Remediation Scheme put in place to identify potential contamination issues, as well as a report to be submitted upon completion to ensure no contamination is brought onto the site. I concur with these recommendations and consider that by addressing these matters by means of a planning condition, the proposal complies with Policy 16 of the adopted LDP and Policy 17 of the proposed LDP.

Policy 7 of both LDPs requires development to enable the separation, storage and collection of waste in a manner that promotes the waste hierarchy. The drawings submitted indicate separate areas for waste storage at the rear of each terraced dwellinghouse, along with shared access outwith the rear garden areas to allow waste bins to be stored in a discreet location within the site. The drawings also indicate that a bin storage area will be provided for each of the flatted

buildings, with bins obscured from public view behind 1.8m high timber fencing. I consider the proposal meets the quality of being 'Resource Efficient' in Policy 1 of both LDPs through providing space for the separation and collection of waste at source. This also accords with Policy 12 of NPF4 and Policy 7 of both LDPs. It is noteworthy that the Head of Public Protection and Covid Recovery raises no objections or concerns in this regard.

Low carbon infrastructure

With regard to Policy 8 of the proposed LDP, to date no planning guidance has been produced requiring a Climate Risk and Vulnerability Assessment to be submitted and as such, the proposal is not considered to conflict with this Policy. It remains however to be considered whether the proposal is sustainable in terms of providing appropriate low carbon infrastructure to mitigate impacts on climate change.

In considering the requirements under the quality of being 'Sustainable' in Policy 14 of NPF4, 'Resource Efficient' in Policy 1 of both LDPs and Policies 5 and 6 of both LDPs, the development needs to incorporate low and zero carbon energy-generating technology. Policy 5 of both LDPs requires major developments to meet heat demand through a district heating network or other low-carbon alternative, unless the application is accompanied by an energy statement clearly demonstrating that this is not feasible. Policy 6 of both LDPs requires all new buildings to be designed to ensure the carbon-dioxide emissions reduction standard set by the Scottish Government is met through the installation and operation of low and zero carbon energy generating technologies. In this respect the drawings submitted indicate that solar panels are to be provided on all of the terraced dwellings and on both flatted buildings. It remains to be confirmed whether these will provide sufficient levels of low and zero carbon energy-generating technology to meet the requirements detailed in Policy 6 of both LDPs. These matters can be addressed by a planning condition to ensure these requirements are met, in accordance with Policies 5 and 6 of both LDPs.

Policy 10 of the adopted LDP and Policy 11 of the proposed LDP requires proposals to include electric vehicle charging infrastructure, having regard to the requirements in the Supplementary Guidance on Energy. In this respect I note the concerns raised in the objections over electric vehicle charging points and turn to the guidance note on Energy, which identifies that for residential dwellings, one trickle charging point should be provided per dwelling and for flats, 20% of available parking spaces should be fitted with a trickle charging point. This matter can be addressed by a planning condition to ensure that the provision of electric vehicle charging is afforded to all residents, allowing the development to incorporate acceptable levels of low and zero carbon energy generating technology. Based on the above, I consider the proposal can meet the quality of being 'Sustainable' in Policy 14 of NPF4, 'Resource Efficient' in Policy 1 of both LDPs, and complies with Policy 10 of the adopted LDP and Policy 11 of the proposed LDP. The provision of low and zero carbon energy-generating technology will assist in minimising the overall lifecycle greenhouse gas emissions, in accordance with criterion a) of NPF4, Policy 2.

Transport and Connectivity

Regarding Policy 10 of the adopted LDP and Policy 11 of the proposed LDP, the proposed development is within easy walking and cycling distance of the town centre and is in close proximity to local bus routes and the Greenock West railway station which sits around 150m north-west of the site, therefore the location is acceptable for a residential development and can be considered to meet quality of being 'Easy to Move Around' by being well connected by public transport nodes.

In considering opportunities for walking and cycling and connectivity of the site with the surrounding area, the layout includes new footpaths between the central car parking area and both Roxburgh Street and Duncan Street and pedestrian access along the access road onto Holmscroft Avenue. Pedestrian access is also provided from both flatted buildings onto Roxburgh Street, affording a good choice of access through the site for pedestrians. The provision of a footpath directly into the site from Duncan Street provides direct access to the bus stop on Duncan Street, encouraging future occupants to use local bus services. Based on the above, the proposal

is considered to recognise the needs of pedestrians and cyclists and stands to meet the quality of being 'Easy to Move Around'.

In considering Policy 21 of the proposed LDP, the required wheelchair housing provision for this development would be 3 dwellings. The 4 flatted units identified on the proposed layout meets this provision and the 5 disabled parking spaces ensures that sufficient wheelchair accessible parking is provided within the site to accommodate all units. I note these have been positioned in close proximity to each respective flat. The provision of the disabled parking bays and wheelchair housing can be secured by condition to ensure compliance with Policy 21 of the proposed LDP. Furthermore, I note that the flatted properties are to contain lifts in each block to enable the buildings to be easy to access and that two of the dwellinghouses are designed in a manner which will allow conversion for occupation by a wheelchair user if required. The design of the buildings allows them to be legible and easy to access, meeting the quality of being 'Welcoming' in Policy 1 of both LDPs as well as Policy 10 of the adopted LDP and Policy 11 of the proposed LDP.



View looking south-east across the site from Roxburgh Street.

Traffic, Parking and Road Safety

With regard to traffic, parking and road safety, these require to be assessed against Policy 11 of the adopted LDP, Policy 12 of the proposed LDP and in terms of the quality of being 'Safe and Pleasant' in Policy 1 of both LDPs. In this respect I note the objections raised over there being only one vehicular access to the site from Holmscroft Avenue, a lack of parking provision, visibility concerns over the existing access and impacts on access to Holmscroft Avenue during construction.

In considering these matters I turn to the consultation response from the Head of Service – Roads and Transportation. This raises no concerns over the existing access being able to accommodate the development in terms of traffic management and advises that a minimum of 52 parking spaces are required for the development and that the proposal has 67 parking spaces which is acceptable. I note the advice given in relation to parking space sizes, surfacing materials, gradients, footway and footpath widths and consider these can be addressed by a planning condition on the grant of any planning permission to ensure the site can be safely accessed. In addressing concerns over visibility, the proposal is to utilise the existing access from which the required visibility splays can be provided to the satisfaction of the Head of Service – Roads and Transportation. The ongoing retention of a suitable visibility splay at the site access can be secured by means of condition.

Turning to the other advice given from the Head of Service – Roads and Transportation, matters relating to traffic calming measures on the road, lighting, parking restrictions and the need for

other roads consents to be obtained are more appropriately dealt with under legislation controlled by the Head of Service – Roads and Transportation and are not material planning considerations. Impacts on traffic access during construction are more appropriately dealt with under the Road Construction Consent and is not a material planning consideration.

Based on the above assessment, the development is not considered to have a lack of parking provision. The proposal is unlikely to result in a significant increase in vehicles being parked on surrounding roads and can be considered to minimise the impact on traffic and parking on the street scene, meeting the quality of being 'Safe and Pleasant' in this regard. It stands that the proposal accords with Policy 11 of the adopted LDP and Policy 12 of the proposed LDP.

The proposal is for redevelopment of a brownfield site which is currently vacant and is located within an existing residential area identified for housing in the proposed LDP. Taking into account all of the above assessment, the proposal is unlikely to create conflict with adjacent uses and therefore meets the quality of being 'Safe and Pleasant'. It will provide a development that can be successfully integrated into the existing community, meeting the quality of being 'Welcoming'. It stands that the proposal meets all qualities of successful places and as such can be considered in accordance with Policy 14 of NPF4 and Policy 1 of both LDPs. The proposal is considered to have acceptable regard to the amenity, character and appearance of the area and raises no conflict with Policy 20 of the proposed LDP. The proposal can be considered to be sustainable development in accordance with criterion c) of Policy 18 of the proposed LDP. It stands that the proposal can be supported under this Policy.

Other matters raised in consultation responses

Turning to other matters raised in the consultation responses not yet addressed, the matters raised by the Head of Public Protection and Covid Recovery regarding external lighting, noise disruption, sound insulation in buildings and the lift mechanisms and motors being suitably isolated are more appropriately controlled by other legislation. An advisory note on these matters can be added to the other advisory notes recommended by the Head of Public Protection and Covid Recovery as part of the granting of any planning permission.

It is noted that the Head of Education raises no concerns over impacts on nearby schools from this development.

Conclusion

A proposed housing development on this site would contribute to the housing land supply and would accord with national policies for delivering housing.

The site is identified in the proposed LDP for housing albeit for a lower capacity. The higher capacity applied for can be considered to reflect the density of the 3 and 4 storey flatted housing along Roxburgh Street.

The site makes use of a vacant brownfield site close to the town centre and public transport which would contribute to the sustainability of the development and would be appropriate for adhering to the 20-minute neighbourhood principle in NPF4, Policy 15.

The provision of public usable space for a development of this size falls short of the recommended levels and the lack of play provision raises concerns over the quality of site being provided for future occupants although the flower lawn and wildflower meadow would be welcome contributions to biodiversity within the site. The determining factor on this proposal is whether the proposal results in overdevelopment of the site.

In conclusion, the proposal accords with Policies 1, 2, 9, 14 and 16 of NPF4; Policies 1, 5, 6, 7, 8, 9, 10, 11, 16, 22, 33 and 36 of the adopted Local Development Plan and Policies 1, 5, 6, 7, 8, 9, 10, 11, 12, 17, 18, 20, 21, 33 and 37 of the proposed Local Development Plan. It is the case, however, that the proposal as submitted cannot be considered to accord with Policy 15 of NPF4 as it fails to provide sufficient playgrounds and informal play opportunities and results in insufficient levels of green spaces within the site.

Overall, the proposed development is of a density similar to the adjacent residential areas and is in a good location close to Greenock town centre and public transport links which would be sustainable and appropriate for inclusion in a 20-minute neighbourhood. It could therefore be justified for the site to be developed at a higher density due to its close proximity to the town centre and to a variety of local services, having good accessibility which would reduce car dependency, and offering a quality setting which would be beneficial to future occupants.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal is considered to be sustainable development in the right place and although the proposal does not accord with the Development Plan in terms of public and private open space provision, it can be considered acceptable to all other Policies and there are no other material considerations which indicate that planning permission should be refused. The proposal will be sited in close proximity to Greenock Town Centre and will present new opportunities for social housing. In line with Section 25 of the Town and Country Planning (Scotland) Act 1997, I conclude that planning permission should be granted, subject to conditions.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. The development to which this permission relates must be begun no later than 3 years from the date of this permission.
2. Prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt; this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority prior to implementation.
3. The development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.
4. Before the development hereby permitted is occupied the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.
5. The presence of any previously unrecorded contamination or variation to anticipated ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and a Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
6. The residential buildings hereby approved shall incorporate flood resistant and resilient materials and design. Details of how this is to be achieved shall be submitted to and

approved in writing by the Planning Authority. The approved materials and design shall subsequently be implemented prior to the development being occupied.

7. Prior to their use on site, full details of all external materials (inclusive of all walls, paving, hard surfacing) shall be submitted to and approved in writing by the Planning Authority. Development thereafter shall proceed utilising the approved materials unless an alternative is agreed in writing by the Planning Authority.
8. Unless agreed in writing by the Planning Authority, all footways provided within the site shall be a minimum of 2.0m wide.
9. All residential units hereby approved shall be 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 (rising to at least 25% by the end of 2025). Details showing how this shall be achieved shall be submitted to and approved in writing by the Planning Authority prior to the construction of the residential units.
10. All houses hereby approved shall be designed to include at least one trickle charging point made accessible for the charging of electric vehicles, details of which shall be submitted to and approved in writing by the Planning Authority prior to the erection of the houses.
11. The car parking hereby approved for the flats and visitor parking shall contain a minimum of ten electric vehicle charging points to be made accessible for the charging of electric vehicles. Details demonstrating how this is to be achieved shall be submitted to and approved in writing by the Planning Authority prior to the construction of the flatted buildings being commenced.
12. The houses hereby approved shall not be occupied until the associated off-street parking spaces shown on approved drawing 3376-MST-S1-00-D-A-PM_40_40_15-1500, Rev C1 have been provided within each respective plot.
13. The flatted residences hereby approved shall not be occupied until the associated off-street parking spaces shown on approved drawing 3376-MST-S1-00-D-A-PM_40_40_15-1500, Rev C1 have been provided. The 45 parking spaces shall be retained on site at all times thereafter unless otherwise agreed in writing by the Planning Authority.
14. Unless otherwise agreed in writing with the Planning Authority, the disabled car parking spaces shown on approved drawing 3376-MST-S1-00-D-A-PM_40_40_15-1500, Rev C1 shall be provided within the site prior to the occupation of any residential building. For the avoidance of doubt each disabled car parking space shall be a minimum of 6 metres long by 2.5 metres wide with a 1 metre clearance.
15. For the avoidance of doubt, the parking spaces within driveways shall be a minimum of 6.0 metres long by 3.0 metres wide, all parking spaces within driveways which form part of the pedestrian access shall be a minimum of 3.4 metres wide, and all remaining car parking spaces shall be a minimum of 5.0 metres long by 2.5 metres wide with an aisle spacing of a minimum of 6.0 metres.
16. All roads within the site shall be a minimum of 5.5 metres in width and shall have a gradient of 8% or less.
17. All parking spaces within the site (driveway and visitor) shall be fully paved and have a gradient of 10% or less.
18. For the avoidance of doubt, the visibility splay of 2.4m x 43.0m x 1.05m at the existing access onto Holmscroft Avenue shall be kept free of obstruction at all times.
19. All surface water shall be managed in accordance with the surface water management design detailed in the Drainage Impact Assessment (DIA) authored by EnviroCentre in

May 2023. Any modifications to the approved design must be submitted to and approved in writing by the Planning Authority prior to being implemented on site.

20. Full details of all boundary treatments proposed within the site shall be submitted to and approved in writing by the Planning Authority. Development shall proceed utilising the approved materials, unless otherwise agreed in writing by the Planning Authority.
21. Notwithstanding the details set out on drawing L01 prior to the commencement of development, the final details of a landscaping scheme and programme for completion shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, this shall include details of any trees currently on site which are to be retained and details of any trees, shrubs and hedges which are to be planted as part of the development. All soft landscaping hereby approved shall be planted during the first growing season following the first residential property hereby permitted being occupied.
22. For the avoidance of doubt, the 16 trees fronting Duncan Street and Holmscroft Avenue which are identified for retention in drawing number L01 shall be retained as part of the development. Details of protection measures for these trees shall be submitted to and approved in writing by the Planning Authority. The approved protection measures shall be erected prior to the commencement of any works. All trees must be protected by barriers and/or ground protection to form a Construction Exclusion Zone in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS5837:2012 and shall not be removed during the course of construction work.
23. No movement of machinery, stockpiling of materials, or changes in existing ground levels shall take place within the Construction Exclusion Zone throughout the duration of the construction works.
24. Where new surfacing is to be installed within the Construction Exclusion Zone of trees which are to be retained, precautions shall be taken to minimise disturbance to tree root systems, in accordance with BS5837:2012, Section 7.4.
25. Details of maintenance and management for the landscaping shall be submitted to and approved in writing by the Planning Authority prior to the occupation of any residential unit. Management and maintenance shall commence upon completion of the landscaping.
26. Any trees, shrubs, hedges or areas or grass which die, are removed, damaged or become diseased within five years of completion of the soft landscaping shall be replaced within the following year with others of a similar size and shape.
27. For the avoidance of doubt a minimum of 5% of the residential units to be constructed on site shall be fully wheelchair accessible.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
3. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
4. To ensure contamination is not imported to the site and confirm successful completion of remediation measures in the interest of human health and environmental safety.
5. To ensure that all contamination issues are recorded and dealt with appropriately.
6. To reduce vulnerability to flooding by creating a more resilient building.

7. To ensure the external materials are appropriate in the interests of visual amenity.
8. To ensure safe pedestrian access throughout the site.
9. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
10. To ensure adequate provision is made to encourage the use of electric vehicles.
11. To ensure adequate provision is made to encourage the use of electric vehicles.
12. To ensure suitable parking provision for the new development in the interests of road safety.
13. To ensure suitable parking provision for the new development in the interests of road safety.
14. To ensure the provision and usability of the disabled car parking spaces in the interests of road safety.
15. To ensure the usability of the car parking spaces in the interests of road safety.
16. To ensure the provision of adequate roads.
17. To ensure the provision of usable parking spaces and to prevent any loose material from being carried onto the adjoining public footway.
18. In the interests of road safety.
19. To ensure the development does not increase the risk of flooding to adjoining sites or the adjoining public road network.
20. In order to provide an appropriate finish throughout the site in the interests of visual amenity.
21. To ensure the provision of a suitable landscaping scheme in the interests of visual amenity and to ensure the provision of a visually acceptable environment.
22. To ensure the retention of and avoidance of damage to trees during development.
23. To ensure the retention of and avoidance of damage to trees during development.
24. To ensure the retention of and avoidance of damage to trees during development.
25. To ensure the maintenance and management of the approved landscaping scheme in the interests of visual amenity.
26. To ensure the maintenance of the approved landscaping scheme in the interests of visual amenity.
27. To ensure provision of wheelchair accessible housing in accordance with Policy 21 of the proposed 2021 Inverclyde Local Development Plan.

Stuart W Jamieson
Director
Environment & Regeneration

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

Report To: The Planning Board

Date: 1 November 2023

Report By: Director of Environment & Regeneration

Report No: 23/0150/IC

Local Application Development

Contact Officer: Carrie Main

Contact No: 01475 712413

Subject: Installation of a Top Up Tap for water bottles at Lochwinnoch Road, Kilmacolm



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SUMMARY

- The proposal is acceptable when assessed against the Development Plan, which comprises: National Planning Framework 4; the 2019 adopted Inverclyde Local Development Plan; and the 2021 proposed Inverclyde Local Development Plan.
- 2 representations have been received objecting to the proposal.
- The recommendation is to GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=RXQG0DIMMVN00>

SITE DESCRIPTION

The application site comprises of an area the paved public footpath, located on the east side of Lochwinnoch Road, at the corner and immediately in front of the Library and Community Centre, within the centre of Kilmacolm and within the Kilmacolm Cross Conservation Area.

PROPOSAL

Planning permission is sought to install a cylindrical water bottle refill station. The refill station is to extend to a height of approximately 1.62 metres by 0.25m in diameter. It is of metal construction and proposed to be finished in colour 5010 (Gentain Blue).

The application is accompanied by a supporting statement and visualisations. The statement further explains that this site was selected following community requests, a feasibility review, site visit and based on several factors, including proximity to water supply.

DEVELOPMENT PLAN POLICIES

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.

- 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.

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.

ADOPTED 2019 INVERCLYDE 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 22 - Network of Centres Strategy

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

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

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

Policy 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.

PROPOSED 2021 INVERCLYDE 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 23 - Network of Centres Strategy

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

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

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

Policy 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.

CONSULTATIONS

None required.

PUBLICITY

The application was advertised in the Greenock Telegraph on 28th July 2023 as a development affecting a conservation area.

SITE NOTICES

A site notice was posted on 28th July 2023 for development affecting a conservation area.

PUBLIC PARTICIPATION

The application was the subject of neighbour notification. Two representations were received from the Kilmacolm Civic Trust and the board of the Kilmacolm Community Centre objecting to the proposal. The concerns raised are summarised below:

- Not a suitable site. It is tantamount to vandalism.
- Vast sum of money spent by the Council laying new pavement which would require to be dug up to accommodate the proposal. This site is right at the bend of newly paved section which would need to be dug up to accommodate the proposal.
- No water source is close to the proposed site. It is believed that there is a water source directly across the access to the public car park. This would therefore be a better site as it wouldn't involve digging up of pavement.
- An alternative and preferred site would be on the curved piece of tarmac pavement that is backed with low hedging and two green BT cabinets, opposite 'Cairns', and projects outwards towards Lochwinnoch Road from Elphinstone Court, at the start of Station Road. Many pedestrians and cyclists stop here. Another alternative site would be on the edge of the Piazza a little further up the lane, but this would not be as visible. Or the historic freshwater drinking fountain at the junction of Lochwinnoch Road with Bridge of Weir Road could be brought back into use- although that may also require new paving to be dug up.

ASSESSMENT

The material considerations in determination of this application are: National Planning Framework 4 (NPF4); the 2019 adopted Inverclyde Local Development Plan; the 2021 proposed Inverclyde Local Development Plan; Historic Environment Scotland's (HES) Policy Statement and Managing Change in the Historic Environment Guidance Note Series, specifically the note on "Setting"; the objections; and the overall visual impact of the proposal on the special character, amenity and functionality of the area.

NPF4 Policies 7 and 14 are of most relevance in this instance. Policy 7 supports development in the conservation area where the character and appearance of the conservation area and its setting is preserved or enhanced and ensure that existing natural and built features which contribute to character are retained. Policy 14 of NPF4 refers to qualities relating to successful places.

Both the adopted and proposed Inverclyde LDP locate the site within the village centre of Kilmacolm under Policy 22 and Policy 23 and within the Kilmacolm Cross Conservation Area under Policy 28.

Policy 22 and 23 sets out a strategy for town and local centre uses across Inverclyde. As the proposal is for the installation of a water bottle refill station can be considered as street furniture and not a development which can be considered as having a use class. The proposal therefore does not conflict with Policy 22 or 23.

Policy 28 alongside HES policy and guidance requires the proposal to preserve or enhance the character and appearance of the area, along with the supplementary guidance given in the PAAN series. There are no specific PAAN guidance notes which offer advice on the installation of street furniture.

Policy 1, of both LDPs, as well as Policy 14 of NPF4, requires development to have regard to the six qualities of successful places, taking account of the factors set out in Figure 3. In this proposal, the relevant qualities relate to being 'Distinctive' through reflecting local architecture and urban form and contributing positively to historic buildings and places; 'Resource Efficient' by building at higher density in town and local centres and around public transport nodes; 'Safe and Pleasant' by avoiding conflict with adjacent uses; and 'Welcoming' through integrating new development into existing communities and creating attractive and active streets.

Drinking water fountains are an occasional feature usually associated with public areas to be used for community benefit and enjoyment and have in recent years become a common feature within the streetscape. The proposal is located close to public service buildings, within the centre of the village, where there is high footfall. I acknowledge that the applicant, Scottish Water, have enlisted criteria (as set out in the supporting statement) alongside community request and site visit to inform the site selection. The criteria comprises of: proximity to water supply; does not pose a hazard either during installation or operation use; does not pose any Health and Safety risks to the public when in use; has a high footfall of potential customers; requires limited traffic management; should encourage the use of refillable bottles and reduce litter. As a utility provider, I am principally guided by Scottish Water on proximity to the water supply. I am therefore satisfied that this location is appropriate for the installation of a drinking water refill station. I do however acknowledge the concerns relating to siting of the refill station, as raised by representations. In this respect, it should be noted that in assessing the planning merits of this application, the option of alternative locations can have no bearing on how this application is determined. In relation to disruption of the new paving for installation, from my site visit, when the photograph below was taken, review of the plans/visualisations submitted, it is not considered that the installation will impact the new paving. Furthermore, following informal consultation with the Head of Service - Roads and Transportation it has also been clarified that this proposed site is not a publicly adopted footway and at this time there are no future plans to extend the new slabs to this proposed location. It was also advised that any installation works should seek to avoid disruption of the new slabs. In this regard I consider it prudent to gain further clarify on the construction works proposed to manage and avoid any significant disruption. Furthermore, the 'making good' and relaying any disrupted or removed slabs in a timely manner, immediately following any installation, can be secured as a condition of any grant of planning permission to avoid any adverse amenity implications.



View looking north-east at the site.

Considering the visual impact, the refill station is to be sited in a prominent position in the streetscape. It is also sited in close proximity to other street furniture including bollards, lampposts and planters. I also note its proximity to the external steps which could be utilised as seating and 'rest area' to

complement the use of the water station, ultimately encouraging people to spend more time in the conservation area and contributing positively to the vibrancy and vitality of the village centre and this historic place. Overall, I do not consider the position, scale, form, design, material or colour of the structure to cause any harm to the visual amenity of the Conservation Area, or to impact any natural or built features which contribute to character and amenity of the area. As such, I consider the proposal to preserve and enhance character and amenity of the area and to meet the terms of Policy 28 of both Plans and supported by HES' policy and guidance. Based on the above, I additionally consider the proposal meets the qualities of being 'Distinctive', 'Resource Efficient', 'Welcoming' and 'Safe and Pleasant' of Policy 1.

Conclusion

Overall, I consider that the proposal accords with Policies 7 and 14 of NPF4, Policy 1, 22 and 28 of the adopted LDP and Policies 1, 23 and 28 of the proposed LDP. I also consider the proposal to manage the historic environment with intelligence and understanding and accord with the requirements of the Historic Environment Policy Statement and guidance note series. There are no material considerations that outweigh these policies or guidance.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development to which this permission relates must have commenced within 3 years from the date of this permission.
2. That prior to the commencement of works, full details of the construction work, including the area covered and the extent of removal of hard surfacing shall be submitted to and approved in writing by the Planning Authority. The works shall then proceed as approved.
3. On completion of the installation, any hard surfacing removed should be reinstated on a like-for-like basis and to an acceptable degree, to the satisfaction of the Planning Authority, and immediately following the completion of the installation.

Reasons

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. In the interests of preserving and enhancing the character and amenity of the Kilmacolm Cross Conservation Area.
3. In the interests of preserving and enhancing the character and amenity of the Kilmacolm Cross Conservation Area.

Mr Stuart W Jamieson
Director
Environment and Regeneration