

Report To: The Planning Board

Date: 6 December 2023

Report By: Director, Environment and Regeneration

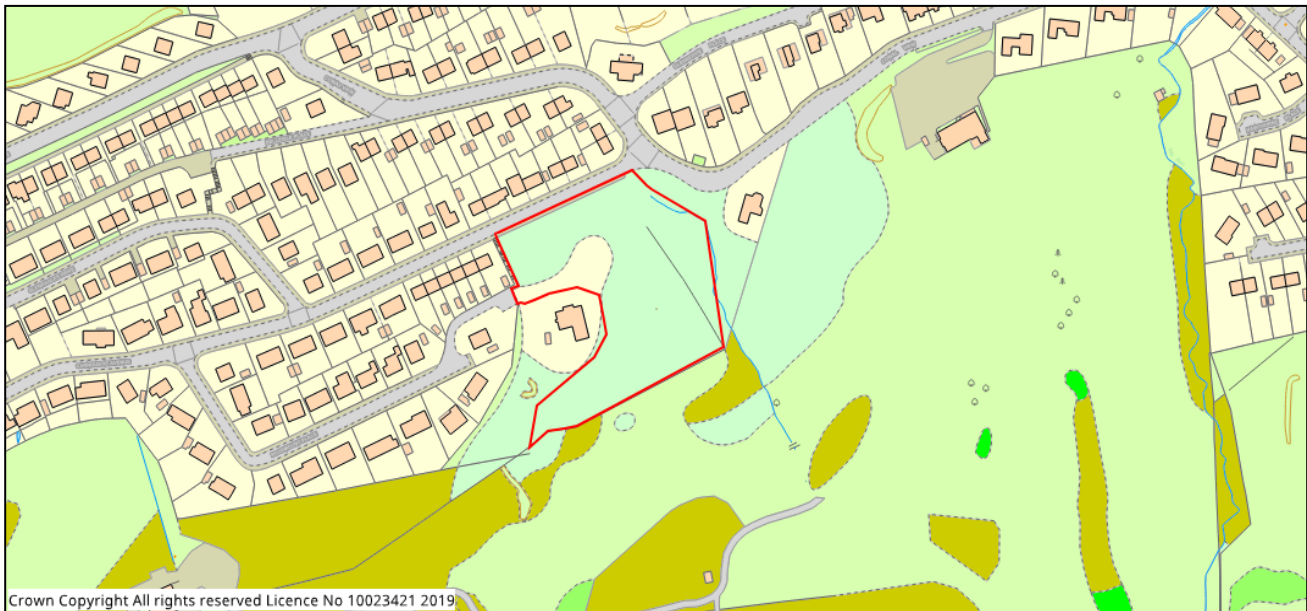
Report No: 23/0036/IC

Local Application  
Development

Contact  
Officer: Colin Lamond

Contact No: 01475 712422

Subject: Proposed residential development comprising 6 detached dwellings with associated roads, parking and landscaping at land adjacent to 24 Rosemount Place, Gourrock



### SUMMARY

- The proposal is acceptable against National Planning Framework 4.
- The proposal accords with the adopted and proposed local development plans.
- 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=RP59FTIML7T00>

### SITE DESCRIPTION

The site is irregular in shape and is to the east of the detached dwellinghouse at 24 Rosemount Place, Gourrock and west of the flats at Cowal Court and the dwellinghouse at 31A Cowal View. The site formed part of the grounds of the house at 24 Rosemount Place. It is bounded on its north side

by Cowal View and Carnoustie Avenue, and Gourock Golf Course is to the south. The site is approximately 0.95 hectares in size and slopes upwards from north to south. At the north part of the site the ground levels are approximately 58m Above Ordnance Datum and at the highest point along the south boundary the ground levels are 89.5m Above Ordnance Datum. There is also a downward slope across the site in a general west to east direction. Access to the dwellinghouse at 24 Rosemount Place is taken past 15 and 22 Rosemount Place with this road also being the access to detached garages that are located at the rear of houses at 11 to 21 Carnoustie Avenue (odd numbers). At the east end of this access road the private driveway leading into the dwellinghouse at 24 Rosemount Place begins and it rises up from it. At the east end of this access road there are also steps that lead down to Carnoustie Avenue. There is an unnamed watercourse that flows through part of the east side of the site before entering a culvert towards the north-east. There is a drainage ditch that runs through part of the site towards the watercourse.

The site is currently vacant and has rewilded. The site was previously used as extended amenity/garden space for the detached property at 24 Rosemount Place. A planning application 23/0038/IC has been submitted for the erection of a detached dwellinghouse to the east of the site.

Trees and vegetation have been cleared from parts of the site and a temporary access track off Cowal View has been formed. There are a variety of house types and flats in the surrounding area.

## **PLANNING APPLICATION HISTORY**

Before describing the current proposal and by way of background there has been a previous planning permission that is relevant to the current planning application.

An application for planning permission in principle 20/0186/IC for the erection of six detached dwellinghouses was refused by the Planning Board on 18th May 2021 against the recommendation to approve.

The decision was appealed to the Scottish Ministers and the appeal was upheld with planning permission in principle granted subject to conditions on 27th September 2021 (DPEA reference PPA-280-2034).

## **PROPOSAL**

Planning permission is sought for the erection of six detached dwellinghouses with associated roads, parking and landscaping. This is an application for full planning permission rather than an application for the Approval of Matter Specified in Conditions relating to the planning permission in principle 20/0186/IC.

As the site has a pronounced steep gradient the six dwellinghouses will be erected on two rows of three dwellings. Access to the upper section and three of the dwellinghouses will be via Rosemount Place. Rosemount Place terminates where it meets with 24 Rosemount Place and there are lock-up garages at the end of Rosemount Place and these are for the dwellinghouses on Carnoustie Avenue.

A new access will also be formed from Carnoustie Avenue to serve the lower three proposed dwellinghouses. The applicant has suggested that the primary route for construction traffic will be from Carnoustie Avenue and the Rosemount Place access will be required for two particular construction tasks, however will not be utilised extensively during the construction phase. A construction compound will be formed at the junction of Carnoustie Avenue and Cowal View.

The lower access formed from Carnoustie Place is to have a visibility splay of 2.5m x 43m and the road width is to be 4.8m. The northern fringe of the site will be regraded with a 1:2 maximum slope. Planting is to consist of dense mixed foliage and rough verges. The Carnoustie Avenue access road leads to driveways for the three lower proposed dwellinghouses. Driveways will be sloped at an 8% gradient. Sections of the upper site will be regraded with 1:2 slopes. The proposed houses at the upper part of the site are to have driveways with 5% gradients. Three parking spaces are to be

formed on the driveways of each dwellinghouse. On both the upper and lower sections of the site hardstandings are to be formed for visitor parking. There are two areas of open space, to the west and north of the site area. The applicant proposes sections of 1.2m and 1.8m high close board timber fencing which will be placed between and around the house plots.

Each dwellinghouse will be three storeys at the front (principal) elevation and two storeys to the rear. A set of steps will provide front to rear access. The principal elevation proposes twin garage doors on the lower ground floor. The first floor proposes a midsection balcony with Juliet balconies to the left and right. A large glazed feature will occupy the midsections of the first and second floors. Rear elevations propose a set of upper windows with a rear door and patio or folding doors to the ground floor. Two narrow windows are proposed on each side elevation. The maximum height to eaves of each property is 7.8m and a maximum width of 10.6m.

Ground floors will consist of a garage, hall and study. The first floors will be occupied by a lounge, dining and kitchen areas with shower and utility rooms. One bedroom will be formed on this level. Four further bedrooms are to be on the second floors.

In terms of materials, each dwellinghouse is to have roof tiles, grey coloured uPVC fascias and soffits, grey coloured UPVC windows and doors, render on the walls with a grey coloured base split stone course and features. The feature gable will be aluminium.

Electric car charging points, air source heat pumps, bin collection stands and solar panels on the rear roof slopes are also indicated.

Due to the steep nature of the site, the applicant proposes a variety of retaining walls at heights varying from 1.5 to 3m. Block, basket and rock cut walls are to be constructed. Retaining walls will be formed between the properties at Plots 1 to 3 and two further sections to the south and west within the site.

The site has undergone some clearance but a further clearance of the site will be required prior to development. Some trees may require to be felled.

## **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 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.

c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported

### **Policy 3**

d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

### **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 naturalised should be taken into account.

b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.

c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.

d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

### **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**

c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:

- i. self-provided homes;
- ii. accessible, adaptable and wheelchair accessible homes;
- iii. build to rent;
- iv. affordable homes;
- v. a range of size of homes such as those for larger families;
- vi. homes for older people, including supported accommodation, care homes and sheltered housing;
- vii. homes for people undertaking further and higher education; and
- viii. homes for other specialist groups such as service personnel.

d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.

e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:

- i. a higher contribution is justified by evidence of need, or
- ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.

The contribution is to be provided in accordance with local policy or guidance.

f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:

i. the proposal is supported by an agreed timescale for build-out; and

ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;

iii. and either:

- delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
- the proposal is consistent with policy on rural homes; or
- the proposal is for smaller scale opportunities within an existing settlement boundary; or
- the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

## **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 and assessing development proposals, consideration must be given to the factors set out in Figure 3 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

### **Policy 6 - Low and Zero Carbon Generating Technology**

Support will be given to all new buildings designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 20% by the end of 2022. Other solutions will be considered where: a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and b) there is likely to be an adverse impact on the historic 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 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 33 - Biodiversity and Geodiversity Natura 2000 sites**

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

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

In such cases, the Scottish Ministers must be notified.

#### Sites of Special Scientific Interest

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

#### Protected Species

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

#### Local Nature Conservation Sites

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

#### Local Landscape Area

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

#### Non-designated sites

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

#### **Policy 34 - Trees, Woodland and Forestry**

The Council supports the retention of ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a) it can be clearly demonstrated that the development cannot be achieved without removal;
- b) the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c) compensatory planting will be provided, to a standard agreed by the Council.



Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council. This will also cover the protection of ancient woodlands and the management and protection of existing and new trees during and after the construction phase.

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

## **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 3 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

### **Policy 6 – Low and Zero Carbon Generating Technology**

Support will be given to all new buildings designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 25% by the end of 2025. Other solutions will be considered where: (a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and (b) there is likely to be an adverse impact on the historic or natural environment.

### **Policy 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: • be at significant risk of flooding (i.e. within the 1 in 200 year design envelope); • increase the level of flood risk elsewhere; and • reduce the water conveyance and storage capacity of a functional flood plain. The Council will support, in principle, the flood risk management schemes set out in the Clyde and Loch Lomond Local Flood Risk Management Plan 2016, subject to assessment of the impacts on the amenity and operations of existing and adjacent uses, the resources protected by the Plans historic buildings and places and natural and open spaces chapters, and the transport network. Where practical and effective, nature-based solutions to flood management will be preferred.

### **Policy 10 – Surface and Waste Water Drainage**

New build development proposals which require surface water to be drained should demonstrate that this will be achieved during construction and once completed through a Sustainable Drainage System (SuDS), unless the proposal is for a single dwelling or the discharge is directly to coastal waters. The provision of SuDS should be compliant with the principles set out in the SuDS Manual C753 and Sewers for Scotland 4th edition, or any successor documents. Where waste water drainage is required, it must be demonstrated that the development can connect to the existing public sewerage system. Where a public connection is not feasible at present, a temporary waste water drainage system can be supported if: i) a public connection will be available in future, either through committed sewerage infrastructure or pro-rata developer contributions; and ii) the design of, and maintenance arrangements for, the temporary system meet the requirements of SEPA, Scottish Water and Inverclyde Council, as appropriate. Private sustainable sewerage systems within the countryside can be supported if it is demonstrated that they pose no amenity, health or environmental risks, either individually or cumulatively. Developments including SuDS are required to have an

acceptable maintenance plan in place, which identifies who will be responsible for maintenance and how this will be funded in the long term.

### **Policy 11 – Promoting Sustainable and Active Travel**

Development proposals, proportionate to their scale and proposed use, are required to: • 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 • 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 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 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 35 - Trees, Woodland and Forestry**

The Council supports the retention of trees, including ancient and semi-natural woodland, trees covered by Tree Preservation Orders and other trees and hedgerows, which have significant amenity, historical, ecological, landscape or shelter value. Where the removal of such woodland, trees or hedgerows is proposed as part of a planning application, this will not be supported unless:

- a) it can be clearly demonstrated that the development cannot be achieved without removal; or
- b) the public benefits of the proposal outweigh the loss of trees/hedgerows; and
- c) compensatory planting will be provided, to a standard agreed by the Council.

Development affecting trees will be assessed against Supplementary Guidance to be prepared by the Council.

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

## **CONSULTATIONS**

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

- Parking should be provided in accordance with the National Guidelines. The proposed dwellings each have five bedrooms and require three parking spaces each. There should be two visitor spaces within the site. The parking meets these requirements.
- The minimum dimensions of the driveway should be 3m wide by 6.0m long for one of the parking spaces and 2.5m by 6.0m for any others. There should also be a minimum of 0.9m path past these parking spaces where the driveway forms part of the pedestrian access to the property. The space on the driveways meet this requirement.
- For a garage to be counted as a parking space, it must be a minimum of 3.0m by 7.0m. The garages do not meet this requirement and therefore are not counted in the parking for each plot but the parking provided in the driveway meets the total parking requirement.
- Any visitor parking spaces shall be a minimum of 2.5m by 5.0m. The visitor spaces should be on the opposite side of the road so they are not confused for a driveway for Plots 1 or 5. They should at least be parallel to road to avoid confusion of ownership.
- Driveways to be fully paved and the gradients should not exceed 10%. The proposed driveways meet this requirement.
- All roads within the site shall be a minimum of 5.5m wide and a maximum gradient of 8%. The width of 4.8m is accepted due to it being a private shared access which will not be adopted.
- All footways within the site shall be a minimum of 2.0m wide. There should be at least one continuous footway within the site. As it is a private shared access it will be accepted with no footway.
- The applicant has shown a visibility splay of 2.4m x 43.0m x 1.05m from the access on to Carnoustie Avenue. This is acceptable. This should be maintained in perpetuity.
- The applicant should connect the footway within their site to the footpath leading to the steps from Rosemount Place to Carnoustie Avenue. The layout shall be agreed with the Roads Service.
- The accesses will not be adopted and will remain the responsibility of the developer or property owners.
- As it is a private shared access then no Roads Construction Consent is required.
- 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 from previous approved application 21/0367/IC is acceptable to be applied to this application.

- Outline Drainage Methodology is acceptable.
- Applicant has confirmed that pre-development surface water run-off will be reduced by installing attenuation storage, discharging to the Scottish Water surface water sewer, overland flows from out with the development will be collected via existing field drains and discharged to the watercourse with all maintenance of assets being with the owner/factor.
- Submitted inspection and maintenance schedule confirms - in-curtilage drainage is the individual home owners responsibility, common drainage (shared) is the responsibility of property owners (shared/factored) and public drainage is the responsibility of Scottish Water.
- Applicant confirmed surface water from driveways will be collected via drainage channels and also road gullies for main carriageway collection.

**Head of Education** - While this proposed development is within the catchment of a secondary school with current capacity concerns, it is anticipated that schools within the catchment would have capacity for additional pupils from this development.

**Scottish Environmental Protection Agency (SEPA)** - advises of no objection to the proposal on flood risk grounds.

**Public Protection Manager** - recommends conditions relating to: Japanese Knotweed; a site investigation; external lighting should conform to Scottish Government guidance; and sound insulation should comply with Building Regulations.

**Scottish Water** – has confirmed that there is sufficient capacity for a public water supply and waste water disposal. Scottish Water advise they will not normally accept surface water connections to the sewer system and applications for water and waste water connections should be made directly to Scottish Water.

## **PUBLICITY**

This type of application does not require advertisement.

## **SITE NOTICES**

This type of application does not require a site notice.

## **PUBLIC PARTICIPATION**

There have been 17 objections received to this application that can be summarised as follows:

### Roads and traffic

- Public risk from increased traffic
- Rosemount Place too narrow for construction traffic
- Access from Rosemount Place prohibited by DPEA appeal decision
- Access from Carnoustie Avenue too restrictive
- Parking restrictions and disruption
- Gradient from Carnoustie Avenue too steep
- Poor visibility on Rosemount Place
- General unsuitability of Rosemount Place for construction traffic

### Residential amenity

- Negative impact on the Rosemount to Carnoustie steps/walkway

- Noise and dirt from the construction phase
- Negative impact on public transport
- Lack of pavements on Rosemount Place (pedestrian risk)

#### Ecology and recreation

- Loss of green space
- Loss of wildlife habitat
- Tree loss in construction phase

#### Other issues

- Loss of view
- Overdevelopment of the site
- Height of proposed dwellings
- Inappropriate materials proposed for dwellings
- Too close to the golf course
- Vibrations affecting gas pipe
- Surface water flooding
- Existing quarry too close to Carnoustie Avenue access

A further 3 representations in support of the application have been received and these can be summarised as follows:

#### Roads and traffic

- Improves access
- Minimises the use of Rosemount Place

#### Other issues

- Enhances housing choice in the area
- Less disruption from one project than from individual plot construction plans

### **ASSESSMENT**

The material considerations in the assessment of this application are: National Planning Framework 4; the adopted Inverclyde Local Development Plan; the proposed Inverclyde Local Development Plan; the adopted and draft Planning Application Advice Note (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development"; the visual impact; the impact on residential amenity; the previous planning permission; and the consultation responses.

#### **The policy context**

##### National Policy

##### National Planning Framework 4

The six overarching spatial principles in NPF4 are identified as:

**Just transition.** Empower people to shape their places and ensure the transition to net zero is fair and inclusive.

**Conserving and recycling assets.** Make productive use of existing buildings, places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy.

**Local living.** Support local liveability and improve community health and wellbeing by ensuring people can easily access services, greenspace, learning, work and leisure locally.

**Compact urban growth.** Limit urban expansion so as to optimise the use of land to provide services and resources, including carbon storage, flood risk management, blue and green infrastructure and biodiversity.

**Rebalanced development.** Target development to create opportunities for communities and investment in areas of past decline, and manage development sustainably in areas of high demand.

**Rural revitalisation.** Encourage sustainable development in rural areas, recognising the need to grow and support urban and rural communities together.

By applying these spatial principles the national spatial strategy is to support the planning and delivery of sustainable, liveable and productive places which are to be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring the environment.

It is noted that an Extended Phase 1 Habitat Survey accompanied the application based on a site survey was carried out in July 2020. The survey found the plants and possible habitats are typical of a suburban location and no evidence of protected species were found on site. The recommendations of the survey are that any site preparation works such as vegetation removal or soil stripping is done between mid August and February inclusive to avoid the bird breeding season and the roots of trees bounding the site are protected. Recommendations are also given for best practice measures to be implemented by contractors on site. It is considered that any further site clearance works are carried out to avoid the bird breeding season unless otherwise agreed in advance in writing. Any request to carry out site clearance works during the bird breeding season will have to be accompanied with a pre-construction bird breeding survey. There will also be a requirement to erect protective fencing around any trees that are to be retained on site or overhang the site boundary. The land cover does provide some of the conditions that may be suitable to bats. Therefore the applicant would require to undertake absence surveys to determine the presence or otherwise of bats, prior to ground clearance or works beginning. These matters can be addressed by planning conditions. The study was updated in July 2022.

The applicant has provided a flood risk assessment and indicates that the unnamed burn will not pose a flood risk to the site. Drainage proposals have also been submitted by the applicant.

The proposed development includes electric vehicle charging points, the installation of solar panels and use of air source heat pumps. Should the application be approved, full details of zero and low carbon technologies and vehicle charging points can be addressed by planning conditions.

Under Policy 1 of NPF4, significant weight should be given to the climate and nature crisis. Under Policy 2 of NPF4 developments should minimise greenhouse emissions and protect against future climate change risks. Policy 3 requires developments to minimise impacts on nature networks, biodiversity and the natural environment. The proposed development will involve some loss of tree canopy, but protective measures will be required for trees that are to remain. The site has low ecological value but protection measures will be required to be followed if clearance works are to be undertaken during the bird breeding season. Although use of the site by protected species is unlikely, protected species can be mobile and a precautionary approach may be necessary. The applicant has also stated that some renewable and low carbon features will form part of the development. Flood risk has been evidenced to be within acceptable parameters. The proposed development does incorporate measures that may reduce green house gas emissions, and the design of the proposal is such that there is an avoidance of further flood risk. Subject to the attachment of conditions, ecological assets will be protected, although the amenity value of site is low. The proposed development is considered to account for the climate and nature crisis, insofar as a development of this scale would be expected to. Mitigation against future climate change risks is also incorporated within the development. The proposal is considered to comply with Policies 1, 2 and 3 of NPF4.



Entrance to the site from 24 Rosemount Place

Policy 9 of NPF4 indicates development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings will be supported. The biodiversity value of the site (if rewilded) should be taken into account. The application site has re-wilded but the presence of species is limited by the urban nature of the site. The amenity value of the site is low. The site has been vacant for a considerable period of time and accords with the terms of Policy 9.

Policy 14 a) of NPF4 indicates development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. The general condition of the site is poor and the overgrown appearance has a negative visual impact on the site and immediate surrounding area. The site has, to an extent, naturalised but with a low amenity value. The proposal can therefore be considered to accord with the general terms of Policy 14 a). Part b) states that development proposals will be supported where they are consistent with the six qualities of successful places. Minimising and reducing emissions are also integral to the six qualities of successful places, as set out in Policy 14. The development is assessed as being broadly aligned with the six qualities but with a particular emphasis on being pleasant, distinctive, connected and sustainable. The development is considered to be a suitable reuse of a vacant site, generally reflective of local architectural styles, incorporating sustainable features and connected to the surrounding area.

Policy 15 promotes local living, including where feasible 20 minute neighbourhoods, and Policy 16 focuses on delivering new homes that are designed to a high standard and located in sustainable places. The proposal in itself does not create a 20 minute neighbourhood as other facilities and uses such as schools, shops and community halls do not form part of the proposals. Various services are available at reasonable travel distances using sustainable methods of movement such as walking and cycling. There is no requirement in policy for the provision of open space or play areas for this scale of development. In relation to Policy 16, the development is considered to increase choice in the local housing market. The proposed development provides suitably scaled homes for larger families. The development also accords in general terms with Policy 16 as it is a small scale development within an existing settlement boundary. The applicant has provided a supporting statement to justify the absence of an affordable housing contribution (or commuted payment). The applicant has stated that the site is within the settlement boundary of Gourrock, and is therefore excluded from the requirement. The applicant's assessment is that the 25% affordable element within



housing proposals is primarily directed (by policy and guidance) to greenfield sites in defined villages within Inverclyde. Furthermore, the applicant argues that the site is an acceptable housing site as it is a small scale development within a settlement boundary. In addition to the policy statement, the applicant has also stated that the proposal may be unviable if an affordable housing contribution is required. This is mainly due to the costs of waterproofing, site clearance, cut and fill requirements and formation of retaining walls on the sloping site.

Policy 16 e) of NPF4 expects at least 25% of market housing proposals to be affordable housing although indicates when a higher or lower percentage may be appropriate including when considering impact on viability, where proposals are small in scale. It is accepted that the site has challenges primarily in relation to the topography and there will be associated costs to excavate and construct retaining walls, which are likely to be high. It is considered that affordable housing is not required in this instance.

The proposed development is therefore considered to accord in general terms with Policies 15 and 16 of NPF4.



View from the centre/east part of the site looking towards Cowal View

### Local Policy

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

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

The site is located in the existing urban area and in the surrounding area there are a variety of house types as well as flats that have been constructed to the east. Sloping sites are a feature of the site and surrounding area. The proposed development would therefore be compatible with the surrounding area in terms of the established pattern of development. The proposed development would also be connected to the surrounding urban area by a variety of modes, including walking, with a local bus route nearby. The guidance also suggest that boundary treatments should be considered to protect mutual privacy. It should be noted that the proposed dwellinghouse at Cowal View (23/0038/IC) proposes two narrow upper windows on the side elevation whilst this application proposes two narrow first floor windows to the kitchen and dining area. As window intervisibility is limited in scope it is considered that the privacy between Plot 4 and the proposed dwellinghouse (23/0038/IC) is not unacceptably compromised.

Although Planning Application Advice Note (PAAN) 2 on "Single Plot Residential Development" does not generally apply to housing developments of more than one unit, the guidance provides an indication of acceptable design, plot size, parking provision and window intervisibility in new residential development. The guidance recommends side windows be 9m from the site boundary. Plots 3 and 4 are 8.6m and 9m from the common boundary (to the east). Planning application 23/0038/IC proposes a dwellinghouse 1.5m from the common boundary with this application site and window distances will be approximately 10m between the closest properties of the respective developments.

Between the proposed dwellinghouses within the application site, there is no window-to-window intervisibility between habitable rooms. Intervisibility is limited to two narrow living/kitchen windows and the stairwell window of the opposing dwelling. Boundary fences are proposed to the private rear gardens of each property to a height of 1.8m. Therefore there is no significant direct overlooking of private rear gardens.

In accordance with PAAN2 the dwellinghouses each accord with national parking guidelines. Plot sizes are considered proportionate to the scale of each dwellinghouse. Garden sizes are considered proportionate to each dwellinghouse. The proposed dwellinghouses establish a building line that is considered largely conventional, although slightly staggered in layout. The materials proposed are contemporary in style and commensurate in style to other contemporary detached and flatted developments in the immediate locality.

Both the adopted and proposed PAAN 3 on "Private and Public Open Space Provision in New Residential Development" indicates that open space contributes to place making as well as to be used for outdoor leisure. For small scale development of less than 10 houses PAAN3 advises that private garden ground should accord with the established density and pattern in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries. PAAN3 also advises that public open space is not required for a small scale development of this type.

In the locality there are a variety of garden sizes associated with existing houses. Existing houses have front and rear gardens. The proposed site layout shows front and rear gardens and therefore in general terms accords with the advice in PAAN3. It is also considered that the site layout does not result in overdevelopment of the overall site or each plot, as the housing density in relation to the site area is low. As the site is on a slope, useable rear gardens would be expected for each plot without steep gradients, which can be achieved through having level areas with retaining walls, terracing the gardens or having appropriate gradients. The applicant has proposed retaining walls along four dwellinghouses to heights of 1.5m to 3m. The proposal also confirms slopes of maximum gradient of 1:2 on the site, to the centre and east of the site (slope between plots 1 to 3 and plots 4 to 6, and the eastern perimeter of the site). Parts of rear and side private gardens are sloped to a maximum of 1:2. The applicant has therefore avoided steep gradients and proposed some retaining walls to maintain areas of level usable garden space.

The proposed development is therefore considered to meet the qualities of being "Distinctive", "Easy to Move Around", "Welcoming" and "Safe and Pleasant" under Policy 1 of both the adopted and proposed LDPs and well as being acceptable under PAAN2 and PAAN3.

In terms of Policy 6 of the adopted and proposed LDPs with regard to reducing carbon dioxide emissions, it is expected that the houses to eventually be constructed will meet the targets set out in these policies. This matter will be addressed by a planning condition should this application be granted.

In terms of Policy 8 of the adopted LDP and Policy 9 of the proposed LDP a Flood Risk Assessment has been submitted to consider all aspects of flooding. The assessment recommends the existing culvert grate should be replaced with a new grating system that can withstand blockage on one side and still enable free flowing of water through other sides; future maintenance of landscaping to avoid blockages to the culvert; and land drains should be installed at the back of all proposed plots and coordinated within the drainage strategy to mitigate the risk from overland runoff or springs if found during construction. There is a watercourse present within the site (burn) but the catchment area is too small for SEPA to include in mapping and records. Although the applicant provided some topographic information, SEPA requested further information which included more detailed topographic information, information on the culvert inlet and photographic records. Following the submission of a full Flood Risk Assessment, SEPA removed their holding objection on the basis that the applicant had evidenced that the dwellings would be constructed at a higher elevation than the watercourse, and that the applicant had provided appropriate rainfall-runoff rates for the purposes of the assessment.

In terms of Policy 9 of the adopted LDP and Policy 10 of the proposed LDP the development is expected to have a Sustainable Urban Drainage System (SUDS) in order to manage the surface water run-off from the site. A Drainage Impact Assessment for the site has been submitted. The Head of Service - Roads and Transportation is satisfied with the drainage proposals which includes confirmation of responsibilities and the provision of a maintenance schedule.

In terms of Policy 11 of the adopted LDP and Policy 12 of the proposed LDP, the Head of Service – Roads and Transportation has not raised any concerns regarding the impact of the proposed development on the surrounding roads network in terms of the amount of traffic or the capacity of the roads to accommodate additional traffic. In addition no concern has been raised regarding accessing the site from Rosemount Place and Carnoustie Avenue and the width of the existing access road to the site from Rosemount Place, which at 4.8m wide is acceptable. The Head of Service – Roads and Transportation has also indicated that visibility splays of 2.4m x 43.0m x 1.5m onto Carnoustie Avenue are required to be provided and maintained.

Policy 11 of the adopted LDP and Policy 12 of the proposed LDP both require the appropriate level of parking to be provided. The Head of Service – Roads and Transportation has advised of the amount of parking proposed is acceptable. The proposed development therefore complies with Policy 11 of the adopted LDP and Policy 12 of the proposed LDP.

As the site is located in the existing urban area the development will be able to access and be accessible by sustainable modes of transport. The site is adjacent to an existing footpath leading to Carnoustie Avenue and this provides an alternative pedestrian access route to Rosemount Place. The Head of Service – Roads and Transportation has indicated that the footpath leading to the stairs connecting Rosemount Place and Carnoustie Avenue should be connected to the footpath within the proposed site. This can be addressed by a planning condition should planning permission be granted. The proposed development is therefore considered to accord with the general terms of Policy 10 of the adopted LDP and Policy 11 of the proposed LDP. These policies also require electric vehicle charging infrastructure, having regard to the Energy Supplementary Guidance. Plans submitted indicate that electric vehicle charging points are to be installed at the garage entrance of each property the details of which can be addressed by a planning condition.

Policy 33 of the adopted and proposed LDPs relate to biodiversity and geodiversity however it should be noted that the site has no natural heritage or landscape designations. For non-designated sites both policies indicate that the siting and design of development should take account of local landscape character and minimise adverse impacts on wildlife as well as being designed to conserve

and enhance biodiversity. An Extended Phase 1 Habitat Survey accompanied the application based on a site survey carried out in July 2020 (and updated in 2022). The survey found that the plants and possible habitats are typical of a suburban location and no evidence of protected species were found on site. The recommendations of the survey are that any site preparation works such as vegetation removal or soil stripping is done between mid August and February inclusive to avoid the bird breeding season and the roots of trees bounding the site are protected. Recommendations are also given for best practice measures to be implemented by contractors on site. It is considered that any further site clearance works are carried out to avoid the bird breeding season unless otherwise agreed in advance in writing. Any request to carry out site clearance works during the bird breeding season will have to be accompanied with a pre-construction bird breeding survey. There will also be a requirement to erect protective fencing around any trees that are to be retained on site or overhang the site boundary. The land cover does provide some of the conditions that may be suitable to bats. Therefore the applicant would require to undertake absence surveys to determine the presence or otherwise of bats, prior to ground clearance or works beginning. These matters can be addressed by planning conditions.

Policy 34 of the adopted LDP and Policy 35 of the proposed LDP presume against the removal of trees that have amenity, historical, or landscape value. The trees at this location are not covered by a Tree Preservation Order although some have amenity value. Previously, many trees on the site provided an extended garden area for 24 Rosemount Place as well as being boundary planting to the golf course and neighbouring land. Clearance and felling has already taken place but further clearance will be required to develop the site. The applicant has provided details of landscape treatments which includes compensatory planting. Rear gardens will be topsoiled and seeded with embankments also turfed. Wildflower seeding will be undertaken between native tree planting. The applicant has specified a variety of trees species to improve biodiversity and provide green spaces and screening. Shrub planting will also be included. Some existing trees will be retained on the periphery of the site and will have physical protection measures. The applicant has suggested compensatory measures in terms of tree planting. The gardens and open spaces will be provided with extensive areas of natural planting and soft landscaping considered commensurate with an urban housing development. It is therefore considered that the proposal accords with the terms of Policy 34 of the adopted LDP and Policy 35 of the proposed LDP.

Development of the site and any proposed tree removal also has implications for wildlife and biodiversity. Policy 33 of both the adopted and proposed Local Development Plans relate to biodiversity issues and indicate that planning permission will not be granted for development that is likely to have an adverse effect on protected species. The application site is not a designated site and it is considered that the site has low ecological value.

As indicated previously in this report, it is necessary to condition any consent to ensure the breeding bird population is protected. The low amenity value of the site would indicate that no further specific conditions are required for protected species. The applicant has included physical tree protection measures on the submitted plans.

Policy 18 of the proposed LDP supports new housing development identified in the schedule to this policy and on other appropriate sites within residential areas and town and local centres. Although not identified by the schedule the site is considered suitable for housing. Furthermore, the associated proposals map includes the site within a residential area and Policy 20 of the proposed LDP notes that proposals for new development within residential areas will be assessed with regard to their impact on amenity, character and appearance of the area. As discussed throughout this report, the addition of the six dwellings is commensurate with the pattern of development in the area. The proposed dwellings have contemporary designs complimentary to recent development in the immediate area, have well proportioned private usable garden space and also benefit from soft landscaping and communal green amenity spaces within the site. The applicant has provided a design that avoids unacceptable privacy issues and is low density, therefore avoiding overdevelopment of the site. The proposed development is considered to comply with the terms of Policy 20 of the proposed LDP.

## Consultation Responses

The Head of Service - Roads and Transportation has confirmed that the development meets with the required parking standards, and furthermore has confirmed that access arrangements (including for the construction phase) are satisfactory. Gradients, road widths and footpath widths are confirmed as acceptable. Matters related to maintenance of the visibility splay, interconnection of paths, provision of a lighting scheme and paving of driveways can be addressed by planning conditions if the development is approved.

The recommendation by the Public Protection Manager relating to Japanese Knotweed and a site investigation being required can be addressed by planning conditions. The recommendations relating to external lighting according with Scottish Government advice and sound insulation are more appropriate as advisory notes.

## Representations

With regard to the objections that have been received and have not been considered above the following comments are made. With regard to the various grounds of objection that have been made in terms of traffic impact and roads safety, the Head of Service - Roads and Transportation has not raised any concerns. In addition, no concerns have been raised regarding the functioning of the site when the development is complete in terms of how vehicles will be able to enter and exit the site. Construction vehicle access via Rosemount Place is limited to two specific construction vehicle movements and is not a primary construction route. It has been indicated that Rosemount Place has narrow sections however the Head of Service - Roads and Transportation considers the access to be acceptable. It should also be noted that driver behavior is likely to be moderated by the presence of narrow roads. The Carnoustie Avenue access is also assessed as being appropriate and has a gradient acceptable for safe access.

The site is not identified in the adopted LDP as Open Space under Policy 35. The site was part of the extended garden ground of the existing house at 24 Rosemount Place and is therefore not considered to be a recreational area and does not result in the loss of such an area. The presence of ecological assets such as protected species is not expected to be significant. However, a protection plan will be required should ground clearance be required during the bird breeding season.

Some tree loss has already taken place. Further tree felling may be required during clearance works. Some trees are to be retained and protected during construction with further planting being undertaken. The trees on site have some amenity value but do not have statutory protection.

Potential flooding issues have been fully assessed by SEPA and the Head of Service - Roads and Transportation. The drainage proposals submitted by the applicant are considered satisfactory in light of the risk posed within and around the site. Regarding representations critiquing scale and materials, the proposed dwellings are commensurate with other contemporary dwellings in terms of scale and the use of materials finishes such as UPVC, aluminum and smooth render.

It is the responsibility of a developer to apply for any connections to water, electricity and gas supplies as well as connecting to sewerage infrastructure. The approval for these connections lies solely with the infrastructure providers and is separate from the planning application process.

It is not considered that the proposed development in itself will be inherently noisy as it is a residential development in an urban location. Should there be any noise/disturbance during construction this can be investigated separately by the Public Protection Service in order to determine whether there is a statutory noise nuisance.

Safety responsibilities regarding the golf course are a matter for the club itself. It would be expected for the club to account for adjacent uses, particularly where further residential development is proposed to replace a vacant site.

Some representations are referring directly to matters specified in conditions of planning permission in principle 20/0186/IC which was approved by the Scottish Ministers. The current application is however an application for full planning permission. Therefore, the conditions attached to consent 20/0186/IC are not directly relevant to this application. This current application for full planning permission must be considered on its own merits against the relevant development plan policies and any material planning considerations.

A loss of view is not considered to be a material planning consideration.

### Conclusion

In conclusion, the proposed development is considered to be a suitable use of a vacant site and commensurate with the pattern of residential developments locally. There are no significant amenity issues, access arrangements are considered acceptable, house design and scale is appropriate in relation to the streetscape, parking, landscaping and useable garden provision are acceptable, connectivity is provided, proposals for drainage are satisfactory and there is no unacceptable impacts on ecological assets or the water environment.

The proposal is considered to be acceptable when assessed against the relevant policies of National Planning Framework 4 as well as the adopted and proposed Local Development Plans and guidance. There are no material considerations that outweigh these policies and guidance.

### **RECOMMENDATION**

That the application be granted subject to the following conditions:

1. The development to which this permission relates must be begun within 3 years from the date of this permission.
2. Development shall not commence on site until samples of all facing materials to be used in the construction of the dwellinghouses hereby permitted have been submitted to and approved in writing by the Planning Authority. Development shall proceed thereafter using the approved materials unless a variation is agreed in advance in writing with the Planning Authority.
3. Development shall not commence on site until all hard surfacing materials on the roads, paths and parking areas have been submitted to and approved in writing by the Planning Authority. The approved materials shall thereafter be used unless any alternative is agreed in advance in writing with the Planning Authority.
4. Development shall not commence until details and the locations of all walls (including retaining walls) and fences to be erected have been submitted to and approved in writing by the Planning Authority. The approved walls and fences shall thereafter be erected unless any alternative is agreed in advance in writing with the Planning Authority.
5. Development shall not commence until full details of all soft landscaping within the site, including a phasing plan and details of management and maintenance arrangements, have been submitted to and approved in writing by the Planning Authority.
6. The landscaping scheme approved in terms of Condition 5 above shall be implemented in full in accordance with the agreed phasing plan. Any of the planting which is damaged, is removed, becomes diseased or dies within the first 5 years of planting shall be replaced within the following planting season with plants of a similar size and species.
7. Development shall not commence until details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt this shall contain a methodology and treatment statement where any is found. Development

shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval in writing by the Planning Authority prior to implementation.

8. 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.

9. Before the development hereby permitted is occupied the applicant/developer 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.

10. 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.

11. Development shall not commence until confirmation of connection to Scottish Water's Network has been submitted to and approved in writing by the Planning Authority.

12. For the avoidance of doubt visibility splays of 2.4m x 43.0m x 1.05m shall be maintained at all times at the new vehicular access with Carnoustie Avenue as shown on drawing 22111-100-100 Rev C.

13. Prior to the commencement of development confirmation of SEPA's acceptance and proof of CAR licence shall be submitted for approval.

14. The existing trees both within the development site and in the vicinity of the boundary of the site which are not to be felled or lopped as part of the proposals are to be protected in accordance with British Standards Recommendations for trees in Relation to Construction, currently BS 5837:2012.

15. No tree felling, lopping or scrub clearance shall take place within the main bird breeding season, March to June inclusive, and all such works will be preceded by a check for nesting birds in accordance with the Nature Conservation (Scotland) Act 2014 and the protection of wildlife. No development shall take place until details of protection measures have been submitted to and approved in writing by the Planning Authority.

16. For the avoidance of doubt each dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until the details have been submitted to and approved in writing by the Planning Authority. Thereafter the approved Electric Vehicle Charging Point shall be installed in their approved form at each dwellinghouse before the first occupation of any dwellinghouse approved under this planning permission.

17. For the avoidance of doubt each dwellinghouse shall be designed to ensure that at least 25% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. Development shall not commence until details have been submitted to and approved in writing by the Planning Authority

relating to the proposed low and zero carbon generating technologies to be installed in each dwellinghouse. Thereafter the approved low and zero carbon generating technologies shall be implemented in their approved form before the occupation of any dwellinghouse.

18. Development shall not commence until details of a plan to connect the internal path network of the development to the existing stairs between Rosemount Place and Carnoustie Avenue have been submitted to and approved in writing by the Planning Authority. The approved path connection shall be fully implemented prior to the occupation of any of the dwellinghouses hereby approved.

19. For the avoidance of doubt: all driveways shall be paved for a minimum distance of 2m; parking spaces shall be a minimum of 2.5m by 5.0m for the parking bays as shown on drawing 22111-100-100 Rev C; the construction phase of the development must comply with details provided on Traffic Management Plan drawing dated 16 February 2023, in relation to the secondary access (Rosemount Place), which shall be restricted in use to two specific incidences namely; i) crane access for the delivery of timber kits and ii) use of small plant for tarring of the road surface.

20. Notwithstanding what is shown on drawing 22111-100-100 Rev C a visitor parking space shall be provided and positioned parallel to each access road into the lower and upper parts of the site. Development shall not commence until details of each visitor parking space has been submitted to and approved in writing by the Planning Authority. Following approval the visitor parking spaces shall be constructed and available for use before the first occupation of any dwellinghouse in the respective parts of the site and thereafter shall be retained in position.

Reasons:

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. To ensure the development is acceptable in appearance.
3. To ensure the development is acceptable in appearance.
4. To ensure the development is acceptable in appearance.
5. To ensure the provision of an adequate landscaping scheme in the interests of visual amenity.
6. To ensure retention of the approved landscaping scheme.
7. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
8. To ensure potential risk arising from previous site uses have been fully assessed and any contamination appropriately dealt with.
9. To introduce measures to reduce potential site contamination.
10. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
11. To ensure that the development has a public water connection.
12. In the interests of road safety.
14. In the interests of environmental protection.
15. To protect the existing trees so that they continue to contribute to the environmental quality of the area.
16. To ensure protection of the environment of breeding birds.



17. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.

18. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.

19. To prevent loose driveway material being spilled onto the road, In the interests of residential amenity and road safety, and to ensure national parking standards are met.

20. To maintain appropriate levels of visitor parking.

Stuart Jamieson  
Director, Environment and Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact Colin Lamond on 01475 712422.